Supreme Court, U. S.
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NO. 75-1429

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

JANICE CHING YEE, PETITIONER PRO SE

vs.

ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES, HSC*, NO. 6102,
STEPHANIE KOKERNAK, HSC*, NO. 5943,
ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES & BYBEE, HSC*, NO. 5971,
JUDGE B.M. VITOUSEK, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, HSC*, NO. 6008,
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH and/or GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT HSC*, NO. 5924,
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH, HSC*, NO. 5969,
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION, HSC*, NO. 5970,
ROBERT FRANKLIN, HSC*, NO. 5949,
RESPONDENTS.

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ROBERT FRANKLIN, HSC*, NO. 5949,
RESPONDENTS.

JOINT PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF THE UNITED STATES

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#5969
#5970
#5971
#5924
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#6102
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IN THE SUPREME COURT OF THE UNITED STATES

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NO.

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HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION,
ROBERT FRANKLIN,
RESPONDENTS.

JOINT PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF THE UNITED STATES

To the Honorable Chief Justice and Associate Justices of the Supreme Court of the United States, Janice Ching Yee, the Petitioner Pro Se herein, prays for a Writ of Certiorari to Review and/or Direct the Judgement of Hawaii's Supreme Court and/or Order Judgement per Discretion, Prerogative and Initiative of the Supreme Court of the United States against the Judgements entered in the lower Courts, dated:

1. December 30, 1975, at 4:07 p.m., for case HSC #5949; (APPENDIX "A(1)")
2. January 12, 1976, at 3:46 p.m., for case HSC #5949; (APPENDIX "A(1)")

3. January 12, 1976, at 4:23 p.m., for the "Consolidation of Appeals"; (APPENDIX "C(1)")
4. November 3, 1975, at 6:08 p.m. for case HSC #5930; (APPENDIX "B(1)")
5. November 17, 1975, at 2:56 p.m., for case HSC 5930; (APPENDIX "B(1)")
6. November 17, 1975, at 2:57 p.m. for case HSC #5930; whereby this case has been re-Appealed and is pending as HSC #6102 in Hawaii's Supreme Court (APPENDIX "B(1)")
7. February 13, 1976, at 3:47 p.m. for the "Consolidation of Appeals"; (APPENDIX "C(1)") and
8. February 13, 1976, at 3:48 p.m. for the "Consolidation of Appeals"; (APPENDIX "C(1)")

which:

A. Affirmed the May 2, 1975, and July 18, 1975 "Nunc Pro Tunc" June 4, 1975 lower Circuit Court Order, Judgement and Decree for case HSC #5949 (Civil #44578), which inflicted substantial injury against the Legal Rights of Plaintiff-Appellant Pro Se as Petitioner Pro Se against Hawaii's Supreme Court's affirmation of the lower Court's dismissal and denial, which worsened:

B. The Unequitable Terms of the March 1, 1973 absolute divorce (which is not on Appeal). (APP. "B(2)")

C. Denied Consolidation (APP. "C(1)") of Appeals against the Conspiracy consisting of:

APP. "C(2) (a)", Yee vs. Kokernak, HSC NO. 5943, which was dismissed June 30, 1975 by the lower Circuit Court of Hawaii.

APP. "C(2) (b)", Yee vs. Hogan, et al, HSC No. 5971, which was dismissed and filed June 16, 1975, which unfairly made Defendants recover costs through Plaintiff who never was at fault.

APP. "C(2) (c)", Yee vs. Vitousek, et al, HSC NO. 6008, which was dismissed and filed August 28, 1975, by the lower Circuit Court.

APP. "C(2) (d)", Yee vs. Nagahisa, et al, and/or Adams, et al, HSC NO. 5924, which dismissed the Motion for Summary Judgment for Plaintiff against the unfair granting of Defendants Motion for Summary Judgment by the Orders of the lower Circuit Court filed April 11, 1975, and whereby Motion for Retrial

was denied on May 7, 1975.

APP. "C(2) (e)", Yee vs. Nickelsen, et al, HSC NO. 5969, which was dismissed and filed June 16, 1975, which unfairly made Defendants recover costs through Plaintiff, who never was at fault.

APP. "C(2) (f)", Yee vs. Koshiba, and/or the Hawaii Bar Association, HSC NO. 5970, which was dismissed and filed June 16, 1975, which unfairly made Defendants recover costs through Plaintiff, who never was at fault.

All of the Respondents as Defendants-Appellees, were instigators and/or perpetrators, as Conspirators* for the "Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process" by Defamatory Coerced Incompetency for Coerced Ignominy "by Deprivation of Income and Legal Rights for Petitioner" Pro Se as Plaintiff Appellant Pro Se, against their Violation whereby a criminal case evolved out of an ordinary divorce case, which was irreconcilable.

Both parties of all cases reside in the State of Hawaii.

PETITIONER PRO SE HEREBY REQUESTS case USSC #75-1143 be added or joined to This Joint Petition; OR This Joint Petition be considered a Supplemental Brief for case USSC #75-1143, according to the *USSC RULES, Rule 24 #5*, or the *FEDERAL RULES OF CIVIL PROCEDURE, Chapter 133:28 (sec. 2106).*

(*Conspirators*:)

*Alfred Alphonse Yee &/or Alfred A. Yee & Associates, HSC #6102
Stephanie Kokernak, HSC #5943
Edward Chun &/or Chun, Kerr, & Dodd, HSC #5903; USSC #75-1143
Robert Hogan &/or Hogan, Rother, Grimes, & Bybee, HSC #5971
Judge B. M. Vitousek &/or the Family Court of the First Circuit of the State of Hawaii, HSC #6008
Dr. Betty Adams &/or Hawaii's Dept. of Health, AND/OR Gerry Nagahisa &/or the Adult Service Branch of the State of Hawaii's Family Court, First Circuit, HSC #5924
Harold Nickelsen &/or Conroy, Hamilton Gibson, Nickelsen & Rush, HSC #5969
James Koshiba &/or the Hawaii Bar Association, HSC #5970
Robert Franklin, HSC #5949, pending appeal to USSC††

††USSC—UNITED STATES SUPREME COURT

PETITIONER PRO SE HEREBY also Requests for Permission to include "Orders" by Hawaii's Supreme Court, this 2nd day of April, 1976, wherefore all of the copy for this Petition was in the final process preceding final printing whereby it was completed on March 31, 1976, with a few last minute subtractions or additions; wherefore the following "Orders" of the Supreme Court of Hawaii, were received this April 2, 1976 and is hereby appended as APPENDIX "J":

1. March 31, 1976; at 3:26 p.m.; for case HSC #6102
2. April 1, 1976; at 3:55 p.m.; for case HSC #5943
3. April 1, 1976; at 4:01 p.m.; for case HSC #5971
4. April 1, 1976; at 4:00 p.m.; for case HSC #6008
5. April 1, 1976; at 3:51 p.m.; for case HSC #5924
6. April 1, 1976; at 3:58 p.m.; for case HSC #5969
7. April 2, 1976; at 9:34 p.m.; for case HSC #5970

So, please excuse the inclusion of Rule 20 of the USSC RULES, for it did apply until this 2nd day of April.

I. *OPINIONS BELOW*

The Opinions and Judgements of Hawaii's Supreme Court below for case HSC NO. 5949 for Yee vs. Franklin, hereby have been included as APPENDIX "A(1)" and APPENDIX "C".

The Judgements of the lower Trial Court of Hawaii's Circuit Court for case HSC NO. 5949 for Yee vs. Franklin, dated May 5, 1975 and July 18, 1975, "Nunc Pro Tunc", June 4, 1975, is hereby included as APPENDIX "A(2)".

The Opinion and Judgement of Hawaii's Supreme Court below for case HSC NO. 6102, for Yee vs. Yee, which was case HSC NO. 5930, for Yee vs. Yee, has not been decided, and Petitioner hereby prays the Supreme Court of the United States can Review this case pending in Hawaii's Supreme Court and/or Direct a Judgement on these Pleadings for Petitioner Pro Se for a fast determination of this case before Judgement is given in said Hawaii Supreme Court, according to *Rule 20 of the UNITED STATES SUPREME COURT RULES.*

The Opinion and Judgement of Hawaii's Supreme Court for case HSC NO. 5930, is hereby appended as APPENDIX "B(1)".

The Opinion and Partial Judgement of the lower Trial Court of Hawaii's Family Court for case HSC No. 6102, dated March 1, 1973; whereby the Statute of Limitations can be extended to 6 (six) years for Concealment of Malice, according to HAWAII REVISED STATUTES, Chapter 657-20, also against Concealment of Conspiracy; is hereby appended as APPENDIX "B(2)".

The Opinion and Judgements of Hawaii's Supreme Court below for the Consolidation of "Appeals Against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant", are hereby included in APPENDIX "C(1)", and Petitioner Pro Se hereby prays the Supreme Court of the United States can review ALL of these cases; including case HSC NO. 5949 which was affirmed for dismissal in the lower Courts of Hawaii; pending in Hawaii's Supreme Court before Judgement is given in the aforementioned Hawaii Supreme Court, according to *Rule 20 of the UNITED STATES SUPREME COURT RULES.* **(Judgements made 4/1/76)**

The Opinion and Judgment of the lower Trial Court of Hawaii's Circuit Court for the cases to "Consolidate Appeals

Against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff Appellant," Yee vs.:

1) Franklin, HSC #5949 (Judgement below—APP. "A(2)")
2) Kokernak, HSC #5943
3) Hogan et al, HSC #5971
4) Koshiba &/or the Hawaii Bar Association, HSC #5970
5) Nickelsen et al, HSC #5969
6) Adams et al, &/or Nagahisa et al, HSC #5924
7) Vitousek et al, HSC #6008

whereby the Statute of Limitations can be extended to 6 (six) years, according to HAWAII REVISED STATUTES, Chapter 657-20 for Concealment of Malice for Conspiracy; is hereby Appended as APPENDIX "C(2) (a–f)"

NOTICE OF APPEAL from the lower Courts to Hawaii's Supreme Court is hereby appended as follows:

1. APPENDIX "i(A)" for HSC #5949, for Civ. #44578
2. APPENDIX "I(B) (a)" for HSC #6102, for FC-D #81258
3. APPENDIX "I(B) (b)" for HSC #5930, for FC-D #81258
4. APPENDIX "I(C) (a)" for HSC #5943, for Civ. #44869
5. APPENDIX "I(C) (b)" for HSC #5971, for Civ. #44240
6. APPENDIX "I(C) (c)" for HSC #6008, for Civ. #45123
7. APPENDIX "I(C) (d)" for HSC #5924, for Civ. #44263
8. APPENDIX "I(C) (e)" for HSC #5969, for Civ. #44244
9. APPENDIX "I(C) (f)" for HSC #5970, for Civ. #44262

II. *JURISDICTION*

The Jurisdiction of This Supreme Court of the United States; whereby it can Review or Direct the Judgement of these cases; was invoked on the grounds of the following situations:

1. November 2, 1973—an "Order" for a "guardian ad litem" was illegally ordered against Petitioner as Plaintiff (Appellant Pro Se) who hereby Appeals for Extension of the Statute of Limitation, according to *HAWAII'S REVISED STATUTES, Chapter 657-20* for limitations of six (6) years against the "Concealment" of "Malice for Conspiracy" OR "Conspiracy for Malice" by nine (9) Conspirators* for Prejudiced Persecution by Malicious Abuse of Judicial Process as this "guardian ad litem order" for coerced incompetancy and coerced ignominy by Deprivation of Income and Legal Rights for Plaintiff Appellant Pro Se, who hereby Appeals as Petitioner Pro Se against this Violation of Legal Rights whereby the Jurisdiction of This Court was invoked, according to *Rule 19 (a & b) of these UNITED STATES SUPREME COURT RULES*, wherefore:

   (a) "a state court has decided a federal question" "in a way probably not in accord with applicable decisions of this court",

for the UNITED STATES CONSTITUTION and its AMENDMENTS, specifically; its:

   (1) *First Amendment* for FREEDOM and/or Equal Protection by Law for ALL FREEDOMS;
   (2) *Fourth Amendment* against "false arrest" ex-"guardian ad litem" or "trustee" "orders" insinuating incompetency of a capable American woman as Plaintiff (Appellant) Pro Se, who hereby Appeals as Petitioner Pro Se;
   (3) *Sixth Amendment* for a speedy trial by an impartial Judge or to be informed of the nature of the accusation of incompetancy against Petitioner Pro Se, who has asked before for representation by counsel as afforded by this Amendment, also to be confronted by the witness who was the false accuser of spendthrift incompetency against Plaintiff Appellant as Petitioner Pro Se;
   (4) *Eighth Amendment* against "cruel and unusual

*page 3.

punishment", which is also against the *Fourth, Fifth, and Sixth Amendment,* unless duly convicted or which should be protected also by the Due Process of Law or

(5) *Thirteenth and Fourteenth Amendment* for due process of law or for Equal Protection by Law (as the *First Amendment*) against "financial enslavement" or "involuntary servitude", after all Petitioner Pro Se never was incompetent and/or against this label and/or petitioner doesn't want to work for my ex-husband Alfred Alphonse Yee and/or his company Alfred A. Yee & Associates, for alimony which was and still is unequitable as temporary partial settlement.

(6) *Nineteenth Amendment* for EQUAL RIGHTS FOR WOMEN FOR EQUITABLE SETTLEMENTS FOR PLAINTIFF APPELLANT PRO SE AS PETITIONER PRO SE JANICE CHING YEE.

(7) *Twenty-Seventh Amendment* for EQUAL RIGHTS, PERIOD.

OR, (b) "where" Hawaii's Supreme Court as "a court of Appeals rendered a decision in conflict with the decision of another court of Appeals"

whereby the California Court of Appeals does Grant Women as Mrs. Jillson *(page 1147 (sec. 409) of the ENCYCLOPEDIA OF NEGLIGENCE) of Jillson vs. Caprio,* who set a precedent for any woman like Petitioner Pro Se who can collect Complete Restitution against Legal Restraint, for "NOT ONLY THE PERPETRATORS, BUT THE INSTIGATORS OF UNLAWFUL VIOLENCE IS FULLY RESPONSIBLE TO ITS VICTIM", and "ANYONE WHO AIDS A FALSE ARREST IS GUILTY!" *(page 1159 (sec. 410) of the ENCYCLOPEDIA OF NEGLIGENCE.) OR,* Doris Day, who collected Restitution against lawyer Gerry Rosenthal, who swindled her out of hard earned money, rightfully Doris Day's, wherefor Doris Day set a precedent for women like Petitioner Pro Se, who once worked hard while young and didn't expect to work in our sunset years or twice for the same money, or rather expected to rest and play in our old age. For, according to *William L. Prosser's LAW OF TORTS, page 869, (3rd edition) 1964,* for Petitioner as Plaintiff-Appellant Pro Se, who can collect restitution against Illegal

Malicious Prosecution by Respondents as Defendants-Appellees as Conspirators* for Illegal Defense by the Illegal "guardian ad litem" "order," which was Malicious Abuse of Judicial Process.

OR, (b) "where" Hawaii's Family Court or Circuit Court "has decided an important state question in a way in conflict with applicable state law"

whereby *HAWAII'S REVISED STATUTES, Chapter 551-27 and/or Chapter 551-30 and/or 551-31 AND/OR Chapter 551-34* were invoked, thereby invoked the Jurisdiction of This United States Supreme Court; for it is frightening to think how this can affect Hawaii's American citizens or the future generation whereby *anybody* can be suddenly restrained by this terrible bad precedent which Judge B.M. Vitousek imposed without "due Process of Law" as afforded by the U.S. *CONSTITUTION AND ITS AMENDMENTS* for no other causes than prejudice by the vain lawyers and the vain judge whose vanity against criticism can destroy a capable American human being by defamation, libel and slander by Malicious Abuse of Judicial Process, which therefore invoked the Jurisdiction of the U.S. Supreme Court against the invokement by Hawaii's Supreme Court and/or the Family Court Judge B.M. Vitousek or the lower Circuit Judge N. Kawakami, "which had decided a Federal question in a way in conflict with applicable decisions of this court" and/or "decided an important question of Federal Law" against 'enslavement', "which has not been, but should be, settled by this" Supreme "Court" of the United States.

PETITIONER PRO SE hereby APPEALS to This United States Supreme Court for a Precedent whereby This Supreme Court can Order an Amendment for Petitioner Pro Se Janice Ching Yee against the lower Trial Court judge Norito Kawakami, where he can by Joinder, be included as a party in the suit against Respondent Judge B.M. Vitousek in case HSC #6008 whereof (Respondent) Judge Norito Kawakami must pay Petitioner Pro Se Janice Ching $1 million for Restitution against Judge Norito Kawakami's personal Prejudice which deprived Petitioner of earlier monetary restitution of a minimum of $8 (eight) million for Petitioner Pro Se Janice Ching Yee or a maximum of $15 (fifteen) million for Peti-

*page 3.

tioner Pro Se Janice Ching Yee for restitution for Merit of Monetary Claims for suffering suffered by Restraint of Person, whereof Restraint of Trade was caused by it, which caused Deprivation of more income for Petitioner Pro Se against the decrease in income and social activities caused by this which is not the type of living customary for Plaintiff-Appellant Pro Se, as Petitioner Pro Se, against the Dismissal of the 8 (eight) cases of Conspiracy in the lower Trial Court of the Circuit Court, whereof ALL of the lower Trial Court of the Circuit Court's Decisions, Judgments, and Orders were VOID for *"PREJUDICE OF JUDGE", pg. 978 of BALLENTINE'S LAW DICTIONARY for "Haslam vs. Morrison," 1133 Utah; 30 A AM. J. Rev. ed Judges +170* OR VOID FOR *"PREJUDICE:* an opinion formed before the facts are known or in disregard of facts," found on *page 978*, again, or also *"Hodgins vs. State"* or also *"Gloss vs. People"* on *"PREJUDICE"* against Petitioner Pro Se as Plaintiff (Appellant) Pro Se; as has been pled more than once in all cases. (Respondent) Judge N. Kawakami, declared his Prejudice on April 8, 1975 at 11:46 a.m. before the first Hearing of April 9, 1975 at 10:30 a.m. for the eight (8) cases of Conspirators*, except Alfred A. Yee of case of FC-D #81258, which was still pending in Family Court and whereof Judge B.M. Vitousek refused to make the final judgement so the case can be appealed, so Petitioner Pro Se had to "Appeal Against the Unequitable Terms of the Final Absolute Divorce Decree for Settlement and Child Custody"; for Petitioner against Kawakami as a Contributory Conspirator* who said "What if I were to tell you, you won't get anything out of this?" upon getting permission to file a "Motion", which was not exactly in conformity for margins, (APPENDIX "G(a)") in a five (5) minute conference wherefore Judge Kawakami asked for it, according to the clerks. This VOIDED Norito Kawakami's Judgements, wherefore Kawakami should have disqualified himself in the lower Circuit Court; and therefore, the lower court Judgements should not have been affirmed by Hawaii's Supreme Court; for then it compounded the lower Circuit Court's harmful, prejudicial, and reversible ERROR. This is Illegal, according to

*page 3.

CRIMINAL LAW, by Donnelly, Goldstein and Schwartz, pages 966-970, "People vs. Winters", 171 Cal. App. 2d 876, 342, P. 2d 538 (App. Dept. Sup. Crt 1959), the Supreme Court Ruled there:

"The dismissals were void because the trial Judge (Kawakami and/or Vitousek) acted in a matter where he openly declared his bias and prejudgement without disqualifying himself."

Hawaii's Supreme Court should have seen Kawakami's Conflict and Reversed Kawakami's Prejudiced Judgement; and therefore should have denied any Respondents as Defendants-Appellees' Motions for Affirmation of the lower Circuit Court's ERROR of PREJUDICE.

II. 2. A Hearing was held in Hawaii's Supreme Court on Oct. 21, 1975 at 9:30 a.m. for Argument in case HSC #5930 Yee vs. Yee, whereby the argument was read verbatim from a prepared testimony by Petitioner as Plaintiff-Appellant Pro Se, and if This Court Requests, it can be transcribed or retyped against the refusal by the clerks of the Supreme Court of Hawaii, or "the Courts" refusal for copies of transcripts of proceedings, which "so far departed from the accepted and usual course of judicial proceedings," as to call for an exercise of this court's power of supervision." Kaimuki High School's class for "Psychological Behavior" was present as witness, as well as their teacher, Mrs. Loo for this Hearing. This case HSC #5930; now on Appeal as HSC #6102, was dismissed completely Dec. 30, 1975, for prematurity; by Decision and Orders filed:

1) November 3, 1975 at 6:08 p.m. whereby Appellant's Motions were denied "on the ground that Appellant's Appeal is premature",
2) November 17, 1975 at 2:56 p.m., whereby "Appellant's Motion to Amend Opening Brief for Excusable Error or Neglect, filed October 20, 1975" was denied, for Appeal was denied by the Order of November 3, 1975",
3) November 17, 1975 at 2:57 p.m., whereby "the Petition for Rehearing filed on November 5, 1975 is denied without argument",

AND hereby appended as APPENDIX "B(1)", whereupon these Decisions and Orders mentioned, which was for case HSC #5930, now is Docketed for Appeal in Hawaii's Supreme Court as case HSC #6102, whereby the Opening Brief was filed March 2, 1976. Petitioner Pro Se

hereby Appeals to This Supreme Court of the United States to Order the Complete Records of this case for evidence of Merits for Petitioner Pro Se *or* direct a Judgement on these Pleadings of this Petition against Conspiracy for Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process, as Restraintive Supplemental Decisions for Coercion of Non-assertion of Petitioner Pro Se's Hawaii Legal Rights as well as American Constitutional Rights against Conspiracy for "Swindle" by Judicial "financial enslavement" and Judicial "involuntary servitude" for Deprivation of Income and Legal Rights for Petitioner, against also the Coercion for Non-assertion of Legal Rights against the clerks of Hawaii's Supreme Court for a bad Court Record for Petitioner, whose good Court Record can not be shown, due to refusal of the clerks of Hawaii's Supreme Court for the filing of proper Motions for Petitioner who hereby presents the Index of "the Court Record" and to include Petitioner's additions as presented in the Opening Brief of HSC #6102, and should have been noted in "the Court Record", specifically the record of case HSC #5930, since the clerks were requested to do so. (APPENDIX "B(3) (a-d") Petitioner Pro Se hereby Appeals to This Court to consider this as more evidence for Merits for Petitioner Pro Se against the Respondents' Conspiracy for Coercion of Non-assertion of Legal Rights for Petitioner against their deliberate Delay as Harassment and/or Obstruction of Justice for Petitioner Pro Se.

+2. Requests for copies of Transcripts were denied although the Bailiff Phillips (earlier) said he had taped the proceedings for the use of "the Court". This was a Violation of *HAWAII'S REVISED STATUTES, Chapter 622-19.* (STATUTES APPENDED) (APPENDIX "A(3)")

3. A Hearing was Ordered and Heard on Dec. 5, 1975 at 10:30 for case HSC #5949, and the last statement heard was "the Court will take this under advisement", previous to the "Order" of APPENDIX "A(1)" and "C(1)", dated Dec. 30, 1975 and Jan. 12, 1976.

4. On December 5, 1975 was filed, "Motion to Consolidate Appeals against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant; (and/or) Motion for Judgement on the Pleadings; Memorandums of Points and Authorities; Affidavit of Plaintiff-Appellant" against:
   1. Stephanie Kokernak, HSC #5943
   2. Robert Hogan, et al, HSC #5971
   3. Judge B.M. Vitousek, et al, HSC #6008
   4. Dr. Betty Adams, et al, and/or Gerry Nagahisa et al, HSC #5924
   5. Harold Nickelsen, et al, HSC #5969
   6. James Koshiba and/or the Hawaii Bar Association, HSC #5970
   7. Robert Franklin, HSC #5949

THE COMPLETE "MOTIONS" ARE APPENDED FOR MERIT FOR PETITIONER'S APPEAL TO THIS SUPREME COURT OF THE UNITED STATES FOR PETITIONER'S JOINT PETITION FOR WRIT OF CERTIORARI. (APP. "C(3)")

"The Court" could have Granted this "Motion to Consolidate" according to *Rule 2(d) of HAWAII'S SUPREME COURT RULES* as pled, for: "*Consolidation.* When cases involving a common question of law or fact are pending before the Court, it may order a joint argument and may make other orders concerning proceedings to avoid any unnecessary costs or delay".

The last case was dismissed earlier and if the other six (6) cases were to be argued all at once on March 9, 1976, it was in essence a "consolidation" of Appeals; so WHY not Grant the "Motion to Consolidate Appeals Against Conspiracy"? It was and is a Conspiracy whereby ALL Respondents Conspired by their Prejudices and Malice, Instigated, Perpetrated, and/or contributed to for the Prejudiced Persecution effected by Judge B.M. Vitousek's Malicious Abuse of Judicial Process, as the ex-"guardian ad litem order" for Illegal Coerced Incompetency against Due Process of Law against this coerced ignominy by coerced incompetency and coerced destitution by Deprivation of Income and Legal Rights for Petitioner Pro Se as Plaintiff Appellant Pro Se, as was motioned and filed on Dec. 5, 1975 and denied on January 12, 1976. (APP. "C(3)") and (APP. "D(1)(a to f)")

5. December 19, 1975—"Motion to Reserve Plaintiff Appellant's Rights" was denied filing by the clerks, which was a Violation of Legal Rights for the Justices to consider the Motion, as well as for Legal Rights for Plaintiff-Appellant who was only trying to Amend Pleadings for Discovery against respondents Alfred Alphonse Yee's 1974 income per income tax statements, received in April, 1975 after the April 15, 1975 tax date from Robert Franklin, Respondent who deceptively gave the 1973 income tax statements of A.A. Yee, et al. This can be explained in detail if needed.
6. December 22, 1975, "Motion for Judgement on the Pleadings for Plaintiff-Appellant Pro Se; Memorandums of Law in Support of Motion; Affidavit of Plaintiff Appellant Pro Se" was refused filing by the clerks (APPENDIX "C(5)") which was again Violation of Legal Rights for Plaintiff-Appellant Pro Se.
7. December 23, 1975—A letter was written to the Justices of Hawaii's Supreme Court to Order Filing of the Dec. 22, 1975 "Motion for Judgement on the Pleadings for Plaintiff Appellant Pro Se, Against the Defendants-Appellees, who all defaulted, "by failure to serve or file a written statement in opposition to this motion", which therefore "may be deemed a waiver of Objection to the granting of the motion", and/or the Defendants-Appellees, didn't notify the clerks of the Supreme Court of Hawaii, thereby Defendants-Appellees as Conspirators* Defaulted, according to *Rule 6(b) of HAWAII'S SUPREME COURT RULES (APP. "C(6)")*
8. Orders were filed on:
   1) December 30, 1975 at 4:07 p.m., whereof "the judgement of the Trial Court" was "affirmed" "granting Defendant's Motion to Dismiss" for case HSC #5949;
   2) January 12, 1976 at 3:46 p.m., whereof "Petition for Rehearing for case HSC #5949, filed Jan. 5, 1976 "was denied" "without argument, and
   3) January 12, 1976, at 4:23 p.m. whereof "Motion to Consolidate Appeals against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for

*page 3.

Plaintiff Appellant" and "Motion for Judgement on the Pleadings, filed December 5, 1975" were "denied without arguments" for all cases; excluding HSC #6102, which was docketed January 29, 1976 and therefore was not included earlier, AND wherefore, these Orders are appended as follows in APPENDIX "A(1)".

But by then, the Respondents as Defendants-Appellees still had Not Opposed the "Motions" of Dec. 5, 1975; THEREFORE, ALL of the RESPONDENTS AS DEFENDANTS-APPELLEES DEFAULTED for JUDGMENTS ON THE PLEADINGS FOR PETITIONER PRO SE AS PLAINTIFF APPELLANT PRO SE against the Order Denying the "Motion to Consolidate, etc." and/or the "Motion for Judgement on the Pleadings against Hawaii's Courts' Illegal Malicious Prosecution against Petitioner as Plaintiff Appellant Pro Se who was the injured and/or aggrieved party, and therefore was the "prosecutor", not Defendants-Appellees, as Respondents, who acted as Illegal Prosecutors. This is bad enough, but for "the Court" then also denied "Judgement on the Pleadings" for Plaintiff Appellant Pro Se for Restitution for Merit of Monetary Claims for same Petitioner Pro Se, who hereby Demands Summary Judgement against ALL Respondents as Defendants-Appellees, per EXHIBITS FOR RESTITUTION.

Petitioner hereby challenges these Judgements of Hawaii's Supreme Court, according to *HAWAII'S SUPREME COURT RULES:*

1) *Rule 16.1,* for the Jurisdiction of the Hawaii Supreme Court for discipline and/or Jurisdiction for control of its court proceedings, but to deny a good capable American woman as Plaintiff-Appellant Pro Se, who pleads against the lower Courts' Prejudiced Judicial Persecution, Malfeasance, Impropriety, Malicious Abuse of Judicial Process as Delay for Coercion for Non-assertion of Legal Rights for Petitioner who Appealed against all of this? AND/OR

2) *Rule 16.2,* for the *HAWAII SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY",* which "shall govern the conduct of all attorneys subject to discipline under this Rule", specifically for the *CODE'S ETHICAL CONSIDERA-*

TION'S EC7-22; (STATUTES APPENDED) and with respect for its *ETHICAL CONSIDERATIONS'* EC7-21, (STATUTES APPENDED) against malicious abuse of Judicial Process

9. January 9, 1976—letter of Appeal for help for case HSC #6102 against deliberate blatant "Swindle" or Deprivation of Income for Plaintiff Appellant Pro Se as Petitioner. (APPENDIX "B(8)(a)")

10. January 20, 1976—"Motion for Amendment of Exhibits for Restitution for Damages Suffered by Plaintiff Appellant Pro Se; Memorandums, Arguments, and Exhibits; Affidavit of Plaintiff-Appellant Pro Se," for the "Consolidation" was presented for filing; but it was refused filing by the clerks, who said "the Court" could consider it later, whereby it was considered and then filed January 21, 1976. (APPENDIX "C(7)")

11. January 21, 1976—"Motion for New Trial (for HSC #5949) and/or in the Alternative, Motion for Relief from Order of January 12, 1976, Denying Petition for Rehearing; Memorandums, Arguments, and Exhibit in Support of Motion; Affidavit of Plaintiff Appellant Pro Se was refused filing by the clerks, but it was timely, according to *Rule 59 of HAWAII'S RULES OF CIVIL PROCEDURE,* and/or *FEDERAL RULES OF CIVIL PROCEDURE* against the Order of Jan. 12, 1976, denying Petition for rehearing, filed Jan. 5, 1976. (APPENDIX "C(8)"—Motion only-cover and Memorandums, etc. not included)

12. January 22, 1976—letter to the Justices to Order the "Motion" of January 21, 1976 to be filed, for case HSC #5949 whereby the "Motion" was refused filing after it was supposedly "considered by the Court", which was in Violation of Legal Rights for Plaintiff-Appellant Pro Se for Assertion of Legal Rights for same Petitioner Pro Se. (APP. "C(8-2)")

13. February 3, 1976—"Motion for Summary Judgement and/or Judgement on the Pleadings; Memorandums, Arguments and Exhibits in Support of Motion; Affidavit of Plaintiff Appellant Pro Se" for case HSC#6102, was denied filing by the clerks of the Supreme Court for no reason given. A letter was written and together the "Motion" and the letter was left to be considered by the Justices, of Hawaii's Supreme

Court, who denied filing of the Motion and Letter, against "enslavement". This was a proper "Motion" and/or Appeal for help against the lower Family Court's Judicial "financial enslavement" by Judge B. M. Vitousek's February 2, 1976, filed "Eleventh Supplemental Decision". It could have been considered, eliminating working on another Opening Brief of HSC #6102, due March 29, 1976, filed March 2, 1976. This case HSC #6102 has been pled as case HSC #5930 from August 26, 1975's Opening Brief for #5930, until dismissed by Decision and Order for Prematurity on November 3, 1975, at 6:08 p.m., whereby "Petition for Rehearing", filed November 5, 1975 at 3:52 p.m. was denied on Nov. 17, 1975 at 2:57. (APPENDIX "B(4)" letter only—"Motion" not included)

14. Order filed Feb. 13, 1976, at 3:47, denied Appellant's "Motion for Amendment of Exhibits for Restitution for Damages Suffered" for the "Consolidation of Appeals" whereby more evidence of Alfred A. Yee, et al's Deception or Alfred A. Yee's attorney Edward Chun, et al's PERJURY for Deception for Swindle or Deprivation of income for Plaintiff-Appellant Pro Se as Petitioner, for the Justices could have considered Summary Judgement or Judgement on the Pleadings as pled for same Petitioner for Complete Settlement as Equitable Settlement. (APPENDIX "C(9)")

15. Order filed February 13, 1976 at 3:47, denied "Appellant's Motion to Grant an Injunction During Pendancy of an Appeal, filed on January 26, 1976, being legally defective on its face," was "denied without argument". This Motion *was* proper, for Plaintiff-Appellant who hereby challenges the decision or Order of Hawaii's Supreme Court; for Petitioner as Plaintiff-Appellant once helped build up the name and person of Petitioner's ex-husband, Alfred A. Yee, Respondent, who does owe Petitioner a Complete Settlement as Equitable Settlement, per Restitution of APP. "AXE" and APP. "AFT" of the Opening Brief HSC #6102 and hereby appended as APPENDIX "E(i)", for Petitioner Pro Se against Judicial "financial enslavement" or Judicial "involuntary servitude", as lending money at no percentage interest, whereby no amount of Pleading seemed to get through to "the Courts", who ignored any plea for money or temporary Relief, wherefore there was no recourse than to borrow money for 10%, whereof Petitioner should not need to

do this, which is cruel and unusual punishment against Petitioner Pro Se, Janice Ching Yee, who never committed adultery, crime, or deliberate sin. (APPENDIX "B(9)")

16. Order filed February 13, 1976 at 3:48, "denying Appellant's Motion for Reconsideration of Orders of January 12, 1976 denying "Motion to Consolidate Appeals Against the Conspiracy for Prejudiced Persecution for Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant" and/or "MOTION FOR JUDGEMENT ON THE PLEADINGS" per *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE and/or FEDERAL RULES OF CIVIL PROCEDURE, AND/OR SUMMARY JUDGEMENT per Rule 56(a) of THESE RULES.* This Order was after Plaintiff-Appellant Pro Se's letter of December 23, 1975, to the Justices, with a request to GRANT AND ORDER JUDGEMENT ON THE PLEADINGS against the Defendants Appellees as Respondants, who ALL Defaulted. (APPENDIX "C(10)") How come the Court didn't consider Respondents' (as Defendants Appellees) DEFAULT?

17. On February 17, 1976, "Objections to Orders of Feb. 13, 1976, Denying Reconsideration of the Dec. 5, 1975 "Motion to Consolidate Appeals, etc. and/or Orders Denying Amendments of Exhibits for Restitution; Motion to Alter Order of February 13, 1976, or Retrial of all cases, Memorandums, etc.; Affidavit of Plaintiff Appellant Pro Se, was denied filing by the clerks, who said it was denied filing by "the Court", not divulging names of "the Court" in the back rooms, who then were also in Violation for Coercion of Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se as Petitioner for Respondents' Default including Alfred Alphonse Yee, et al, and/or Edward Chun, et, who were the co-instigators and/or perpetrators of the Conspiracy*, although their names were not mentioned in the title, since they were dismissed earlier and refused inclusion by the clerks. Their attorneys received copies of these "Motions", whereby Pleadings against them, were included. The "Motion to Consolidate, etc.", filed Dec. 5, 1975, was denied filing earlier by the clerks, and/or "the Court" unless the names of Alfred Yee et al and/or Edward Chun, et al were deleted from the title. (APPENDIX "C(11)")

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18. February 17, 1976—"Objection" and/or Motion to Reconsider" "Order of Feb. 13, 1976" for HSC #6102, HSC #5924, and HSC #6008 was refused filing by the clerks which was again Violation of Petitioner's Legal Rights, against the clerks' Conflict and/or the Conflict of "the Court" for Contributory Conspiracy for Coercion of Non-assertion of Legal Rights and Income for Plaintiff-Appellant (APPENDIX "B(8)(b)"); (APP. "C(13)"); and (APP. "C(14)")

19. February 20, 1976—"Motion for Temporary Monetary Relief Memorandums, Arguments, and Exhibit in Support; Affidavit etc." for case HSC #6102 was denied filing by the clerks; then denied by "the Court" on Feb. 20, 1976; then March 2, 1976. This unfiled "Motion for Temporary Monetary Relief" included a request for the Justices to Order filing of "Objection, etc., and/or Motion to Reconsider, etc." for:

    1) the "Consolidation" of the cases named in the Dec. 5, 1975 "Motion to Consolidate Appeals Against Conspiracy"
    2) case HSC 5924
    3) case HSC 6008
    4) case HSC 6102

The note of denial by clerk Suzuki, was Illegal Violation of Assertion of Petitioner's Legal Rights, according to *HAWAII SUPREME COURT RULES, Rule 16.1 and Rule 16.2* and/or *HSCR's CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL* CONSIDERATIONS, specifically EC7-21, against Malicious Abuse of Judicial Process for Non-assertion of Legal Rights for Petitioner Pro Se for the U.S. Constitution and all of its Amendments, specifically *Amendment One (1)* for Equal Freedom and/or Equal Protection by Law for Freedom and/or *Amendment Six (6)* for a "fast trial", unhampered by Delay as Obstruction of Justice for Petitioner Pro Se hereby is appended. (APPENDIX "D (6)"—the note only) The Motions of Feb. 17, 1976, not included, were due Feb. 19, 1976, so Petitioner as Appellant won't lose the Appeal. Petitioner's intentions are good for the filing of these Objections and Motions, as can be evidenced by signed receipts from each of Respondents as Appellees' lawyers, dated Feb. 20, 1976, for the "Motion for Temporary Relief", (because of the "Consolidation," they

each received a copy) AND/OR certified mail receipts for the Feb. 17, 1976 "Motions" (APP. "B(5)") THESE "MOTIONS" ALL WERE AGAIN PRESENTED, TO BE FILED "NUNC PRO TUNC" DATE OF MOTIONS, AT THE MARCH 9, 1976 HEARING of the six cases in Hawaii's Supreme Court against:

Kokernak, HSC #5971
Hogan, et al, HSC #5971
Adams, et al, &/or Nagahisa, et al, HSC #5924
Nickelsen, et al, HSC #5969
Vitousek, et al, HSC #6008
Koshiba &/or the Hawaii Bar Assoc., HSC #5970

20. February 23, 1976—being unsuccessful earlier in obtaining a date for the Notice of Motion, it was deleted out of the "Motion to Strike Judge Vitousek's Eleventh Supplemental Decision; Motion for Summary Judgement OR Judgement on the Pleadings for Appellant as Petitioner, both "Motions" "Nunc Pro Tunc" as of Feb. 2, " (Really Feb. 3, excuse this inadvertant mistake) 1976 Pleading to Hawaii's Supreme Court and this was filed at 9:32 a.m., using the unfiled Feb. 3, 1976 Pleading to Hawaii's Supreme Court as Exhibit "A" for this "Motion". As Plaintiff-Appellant Pro Se, I try to do the best I can to present my Pleadings for Judgement by Hawaii's Courts, who don't seem to hear me right or seem to be personally against me, for I really try for a "fast determination" of this case FC-D #81258, HSC #5930, and/or HSC #6102, whereby FC-D #81258 should be completed against the lower Family Court's Judge B. M. Vitousek's Malfeasant Conflict as a Conspirator* for Prejudiced Persecution by Malicious Abuse of Judicial Process by Eleven Supplemental Decisions and/or at least five (5) other "orders", all of which were for Deliberate Delay for Malicious Injury of Plaintiff Appellant Pro Se as Petitioner, Pro Se, who hereby Appeals to the U.S. Supreme Court against this and Malice by Judge Vitousek and/or the Defendants Appellees as Respondents for Conspiracy for Delay as Harassment through ELEVEN HEARINGS from Feb. 12, 1973 until March 25, 1976 as the last Hearing, which could have been stipulated for Non-hearing or Rather for Judgement on the Pleadings, according to *Rule 12(c) of HR of CP*, as pled earlier and/or

*page 3.

throughout most of the Hearings for Complete Settlement as Equitable Settlement, and/or as the most feasible solution for the divorced couple, as pled and will This Court please excuse the persistence by Petitioner Pro Se who thinks I AM RIGHT, against coerced destruction by coerced incompetancy by defamation for coerced ignominy by coerced destitution Libel, and slander by coerced non-assertion of Legal Rights for Plaintiff-Appellant Pro Se as Petitioner Pro Se, who hereby APPEALS to This U.S. Supreme Court for Help; for I cannot afford $5000.00 as a retainer fee for Legal help and I have appealed to more than 100 local lawyers as members of the Hawaii Bar Association for help, but nobody would help on a contingency basis (APPENDIX "B(6)")

21. February 27, 1976—Order by HSC, denying Assignment of HSC #5930, the number of the original Appeal for case FC-D #81258, to case HSC #6102, filed Feb. 11, 1976. (APP. "B(7)")

22. March 1, 1976—note of denial by "the Court" signed by Ed. K. Suzuki. (APPENDIX "B(5)")

23. March 2, 1976—Opening Brief for HSC #6102 is filed, and hereby is appended, the Indices for the Record on Appeal and Supplemental Records AND additions supplied by Petitioner Pro Se for conformity to the evidence against Violation of Legal Rights for Petitioner for assertion of Legal Rights for Plaintiff Appellant Pro Se as Petitioner Pro Se. (APP. "B(3)")

24. March 2, 1976—Notice of hearing was set for cases Yee vs.:

Kokernak, HSC NO. 5943
Hogan, et al, HSC NO. 5971
Vitousek, et al, HSC NO. 6008
Nagahisa, et al, &/or Adams, et al, HSC NO. 5924
Nickelsen, et al, HSC NO. 5969
Koshiba &/or the Hawaii Bar Association HSC NO. 5970

to be argued and heard on March 9, 1976, from 9:30 to 10:30 a.m. whereby Koshiba's case was to be heard at 10:30 a.m. This was an hour and a half accorded for five (5) cases, which ordinarily should be argued for 2½ hours, a half hour each case, allowing each side 15 (fifteen) minutes minimum. (APP. "D(1)(a to f)")

25. March 5, 1976—letters of acknowledgement were mailed by certified mail after the Hawaii's Supreme Court's clerks refused to accept the letters, which gave a clearer picture of "Motions" to be argued in the Hearing of March 9, 1976. These were received on March 8, 1977, then filed, whereupon clerk Makikau made the comment publicly on March 9, 1976, "the Court had to xerox 5 copies", which never happened before or was never requested before. This extra expense of certified mail to get a letter received by the Courts is also a small example of coercion of spending for extra unnecessary expenses for the Defamation as a coerced "spendthrift", which is Respondent Alfred A. Yee's fault and not Petitioner Pro Se's against Alfred A. Yee who would pay a tax counsel $5,723.00 to deprive Alfred's ex-wife Petitioner Janice C. Yee of $1250.00 which would have been spent on Alfred's or Janice's children. ((APP. "B(8)(a)")(unfiled)) (APPENDIX "D(2)(a to f)")

26. March 8, 1976—another letter of acknowledgement (APP. "D(3)") was presented for filing, marked "Received", March 8, 1976, but not approved by the Justice whereby Justice Bert T. Kobayashi, who reclused himself out of Koshiba's case for consanguinity, because Kobayashi Junior is Koshiba's partner of Law, however refused to recluse himself out of the other eight (8) cases of the Conspiracy, although Justice Baird Kidwell reclused himself out of all cases because of his consanguinity for once having worked for Goodwill, Anderson, and Quinn, attorneys for Edward Chun, et al, Respondents of USSC NO. 75-1143, filed Feb. 12, 1976, wherefor Petitioner Pro Se hereby Appeals to This U.S. Supreme Court to include this case USSC NO. 75-1143 as a party to This Joint Petition, whereby all Pleadings can conform against all Respondents of the Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Judicial "financial enslavement" and/or Judicial "involuntary servitude" by Deprivation of Income and Legal Rights for Petitioner Pro Se, against the refusal of Justice Bert T. Kobayashi to recluse himself, but he voted and signed the Order, dated October 6, 1975 denying "Motion for Reconsideration of Order of September 9, 1975, and/or Motion for Summary Judgement for Plaintiff-Appellant, filed September 11, 1975." This can be found in Appendix "A" of case USSC #75-1143 of Yee vs. Chun, et al. wherefor Kobayashi's Conflict for Dismissal of the cases so Respon-

dent Koshiba's case can be dismissed can be confirmed should Justice Bert T. Kobayashi's voting record be negative; for Respondent as Defendants-Appellees Edward Chun, et al conducted a harmful defense for Malicious Injury of Petitioner Pro Se, whose inadvertance forgot to mention this in the Pleadings for case USSC #75-1143; and may these Pleadings be considered part and parcel of ALL cases. (APP."D(3)"

27. March 9, 1976—Hearing for Yee vs.:
    Kokernak, HSC #5943
    Hogan, et al, HSC #5971
    Judge B. M. Vitousek, et al HSC #6008
    Adams et al, &/or Nagahisa et al, HSC #5924
    Nickelsen et al, HSC #5969
    Koshiba &/or Hawaii Bar Association HSC #5970

whereof the testimony for Petitioner Pro Se was prepared and/or read verbatim, expecting the worse and/or hoping for the best for a fast Order for Judgement on the Pleadings for Plaintiff-Appellant Pro Se OR even a fast Order for "Temporary Monetary Relief" for money Petitioner should not have been deprived of for 1975 (APP. "B(8)(a)") since the alimony was 2/3 of fixed expenses. It was and is so small. It was only a check for $1250.00 which would have satisfied a number of debts until Complete Settlement for Plaintiff Appellant Pro Se who cannot understand the lower Courts of Hawaii OR the Defendants-Appellees who are destitute of compassion for Petitioner who didn't deserve coerced destitution. Presented to Hawaii's S.C. Justices to Order the previously mentioned "Motion for Temporary Monetary Relief" to be filed at this Hearing of March 9, 1976, was also included as mentioned "Motions" dated Feb. 17, 1976 for: "Objection, etc. and/or Motion to Reconsider, etc." for:

1) the "Consideration" of the cases named in the Dec. 5, 1975 "Motion to Consolidate Appeals Against Conspiracy."
2) case HSC NO. 5924
3) case HSC NO. 6008
4) case HSC NO. 6102

Also included were signed receipts acknowledging receipt of this Feb. 20, 1976 "Motion for Temporary Monetary Relief", which included the "Objections and Motions" for Feb. 17, 1976 above, and certified receipts (APP. "D(4)") for these Feb. 17, 1976 "Objections" and "Motions" mentioned above, for Petitioner's good intentions to Appeal or not lose the Ap-

peal. The Civics Class of teachers Mrs. Conquest and Mrs. Ogasewara of Aiea High School are witnesses who were present as observers for the Hearing. Hereby are appended "Exhibits for Restitution asked for against Respondents who were all "Guilty", according to the ENCYCLOPEDIA of NEGLIGENCE (vol. #2) page 1147 (sec. 409) and/or page 1159 (sec. 410) for Jillson Vs. Caprio, "ANYONE WHO AIDS A FALSE ARREST IS GUILTY!" OR for Judgement on the Pleadings for Plaintiff Appellant Pro Se as Petitioner Pro Se against Defendants Appellees (Respondents) who *all* Defaulted. (APP. "C(12)") All of this has been mentioned in the Pleadings for Petitioner Pro Se.

28. March 19, 1976—a letter requesting a copy of transcript was denied filing or unreceived by the clerks, which was again Violation of Petitioner's Legal Rights, whereof although argued it was against HRS+, Chapter 622-19; (STATUTES APPENDED) they still persisted. The clerks said the Bailiff made the tapes for "the Court's" use and upon argument said "what if it was erased?", wherefore Petitioner Pro Se hereby pleads for the U.S. Supreme Court to Direct Hawaii's S.C.+ on this matter of copies of Transcripts for according to Rule 19(1)(b), wherefore Hawaii's S.C. "has so far departed from the accepted and usual course of judicial proceedings" and/ "or so far sanctioned such a departure by a lower court, as to call for an exercise of this Court's power of supervision." May this also apply to filing methods. Also, Petitioner can supply a copy of my testimony in Court, whereby it was read verbatim except for a couple of side comments and a short recess, forgetting Kobayashi was supposed to be reclused for Koshiba, whereof Circuit Judge Arthur Fong substituted for Justice Bert T. Kobayashi for the case against Koshiba. (APP. "A(3)(b)") **Letter of denial was received Apr.2, 1976, filed Apr.1, 1976, (APP."A(3)(6)")**

29. March 22, 1976—"Motion for Relief of Judgement" for case FC-D #81258 was filed in Circuit Court, whereby this case should have a final Judgement, Order, or Decree, since it was only a simple divorce case and has been appealed to Hawaii's Supreme Court against the *"Unequitable Terms* of the Final Absolute Divorce (Final, and not on Appeal) Decree and Child Custody." (APP. "B(10)")
30. March 22, 1976—"Amendment of Motion for Relief of Judgement for case FC-D, #81258, was also filed and hereby

appended for Appeal to This U.S. Supreme Court for Petitioner Pro Se against Judge B.M. Vitousek's Violation of Petition Pro Se's Legal Rights to include *AMERICAN CONSTITUTIONAL RIGHTS* and all *AMENDMENTS*, in particular *AMENDMENT ONE (1)* for FREEDOM and/or AMENDMENT SIX (6) for a fast and speedy trial, and include all amendments specifically mentioned in this Joint Petition for Writ of Certiorari. (APP. "B(10)")

31. March 23, 1976—"Motion to Amend Opening Brief" was filed in Hawaii's Supreme Court for Case HSC #6102, to include the March 22, 1976 "Motions" (both) filed in the Family Court of the First Circuit Court of Hawaii, and hereby appended for a faster determination of This case (FC-D #81258, which does not have a final Judgement yet) HSC #6102 pending the possibility of a Judgement on the Pleadings for Petitioner Pro Se for This United States Supreme Court to Order it if Petitioner's Pleadings please This Supreme Court of the United States for Judgement on the Pleadings for $3 million for Petitioner Pro Se, Janice Ching Yee to set a precedent for Complete Settlement for any capable American woman as Petitioner as Plaintiff-Appellant Pro Se, who once helped build up the name, reputation, and company of Petitioner's ex-husband Respondent Alfred Alphonse Yee, et al. (APP. "B(10)") and (APP."E(1)")
32. March 25, 1976—Hearing was held in the lower Family Court for case FC-D #8158, at 2 p.m. for the "Motions" of March 22, 1976, whereof the Hearing could have been foregone and/or Judgement on the Pleadings for Plaintiff (Appellant) Pro Se Janice Ching Yee really could have been the most generous gesture on the part of Defendants (Appellees) Alfred Alphonse Yee et al, or on the part of the poor Judge B.M. Vitousek, who already had called ten previous Hearings, wherefore this judicial "enslavement" seems to decrease income and legal rights after each Hearing for Plaintiff (Appellant) Pro Se as Petitioner who cannot seem to find recourse and already dread the answer to be given in a week. The answer could have been given in the Hearing since the Judge read both of the "Motions" and all of the Pleadings previously. (APP. "B(10)")

THEREFORE, THE JURISDICTION OF THIS COURT has been invoked, since, according to the *UNITED STATES SUPREME COURT RULES*, Rule 19(1)(a & b):

"(a) Where a state court has decided a federal ques-

tion of substance not theretofore determined by this court, or has decided it in a way probably not in accord with applicable decisions of this court.

"(b) Where a court of appeals has rendered a decision in conflict with the decision of another court of appeals on the same matter; or has decided an important state" "question in a way in conflict with applicable state" "law; or has decided an important question of federal law which has not been, but should be, settled by this court; or has decided a federal question in a way in conflict with applicable decisions of this court; or has so far departed from the accepted and usual course of judicial proceedings, or so far sanctioned such a departure by a lower court, as to call for an exercise of this court's power of supervision."

whereby Petitioner's Joint Petition for a Writ of Certiorari can be reviewed by This Court, for Supervision.

The Jurisdiction of This Supreme Court of the United States also reside on the *FEDERAL RULES OF CIVIL AND APPELLATE PROCEDURE, Chapter 133, Title 28, Section 2101(c);* THE *U.S. SUPREME COURT RULES, Rule 19(1)(a & b), Rule 22(3), Rule 23,* specifically, not exclusively *Rule 23(5),* and/or *Rule 24(5).*

PETITIONER PRO SE hereby Petitions to This Court for a Writ of Certiorari in the above captioned cases for a Show Cause Order also, whereof, this Petitioner hereby prays that an Order be issued directed to the said Honorable Supreme Court of Hawaii, requiring it to Show Cause in This Court of the United States, at a time to be designated by This Court for:

III. *QUESTION:* WHY DOESN'T HAWAII SUPREME COURT BELIEVE IN JUSTICE FOR PLAINTIFF-APPELLANT PRO SE, as Petitioner, JANICE CHING YEE?

1. Why does it not direct a new Judgement and/or vacate the Judgement below?
2. Why does it not Review and/or Reconsider the Hawaii Supreme Court's own Orders, which were in Reversible ERROR?
3. Why does it not Grant the "Motion to Consolidate Appeals Against Conspiracy for Prejudiced Persecution for Malicious Abuse of Judicial Process for Deprivation of

Income and Legal Rights for Plaintiff-Appellant; MOTION FOR JUDGEMENT ON THE PLEADINGS; Memorandums, etc.?" (APPENDIX "C(3)")

4. Why aren't the Justices consistent about reclusal?
5. Why doesn't Hawaii's Supreme Court Order Reversal OR, VOID the lower Circuit Court Judge N. Kawakami's VOID PREJUDICED JUDGEMENTS, instead of affirming the lower court's judgements?
6. How can a Judge sit in Judgement and not be a member of the Hawaii Bar Association?
7. Why doesn't Hawaii's Supreme Court believe in the UNITED STATES CONSTITUTION AND ITS AMENDMENTS FOR PETITIONER PRO SE.
8. Why doesn't Hawaii's Supreme Court believe a woman from Hawaii can set a precedent for Hawaii for Complete Settlement for Equitable Settlement for a Good Woman for Final Absolute Divorce of 20 years of marriage and five (5) legitimate children to Petitioner Pro Se Janice Ching Yee (for the record) who never committed adultery, crime, or deliberate sin?
9. Why does it deny a copy of the Transcript or tape of the Court proceedings of any case in Hawaii's Supreme Court?
10. Why don't the Justices control the clerks and their decisions to file or not file by "the Court" and/or who is "the Court"?

IV. *STATUTES INVOLVED*

HAWAII'S SUPREME COURT WAS WRONG and committed harmful, prejudiced, reversible ERRORS by affirming the lower Circuit Court Trial Court's Decision, Judgement, and Order in case HSC #5903, docketed, and Pending Appeal as case USSC 75-1143; and/or case HSC #5949, presented for Appeal this day. The STATUTES INVOLVED for the aforementioned cases and the following seven (7) cases: Janice Ching Yee vs.:

1) Alfred Alphonse Yee, HSC #6102
2) Stephanie Kokernak, HSC #5943
3) Robert Hogan, et al, HSC #5971
4) Judge B.M. Vitousek, et al, HSC #6102
5) Nagahisa, et al, &/or Adams, et al, HSC #5924
6) Harold Nickelsen, et al, HSC #5969
7) Koshiba &/or the Hawaii Bar Assoc., HSC #5970

are on Appeal in Hawaii's Supreme Court and hereby Appealed to This Supreme Court of the United States are:

1. *THE UNITED STATES SUPREME COURT RULES:*

1) *Rule 20,* whereof "a writ of certiorari to review a case pending in a court of appeals, before judgment is given in such court, will be granted only upon a showing that the case is of such imperative public importance as to justify the deviation from normal appellate processes and to require immediate settlement in this court."

2) *Rule 19(1) (a & b),* whereof "1. A review on writ of certiorari is not a matter of right, but of sound judicial discretion, and will be granted only where there are special and important reasons therefor. The following, while neither controlling nor fully measuring the court's discretion, indicate the character of reasons which will be considered:

(a) Where a state court has decided a federal question of substance not theretofore determined by this court, or has decided it in a way probably not in accord with applicable decisions of this court.

(b) Where a court of appeals has rendered a decision in conflict with the decisions of another court of appeals on the same matter; or has decided an important state" "question in a way in conflict with applicable state" "law; or has decided an important question of federal law which has not

been, but should be, settled by this court; or has decided a federal question in a way in conflict with applicable decisions of this court; or has so far departed from the accepted and usual course of judicial proceedings, or so far sanctioned such a departure by a lower court, as to call for an exercise of this court's power of supervision."

3) *Rule 23* in its entirety, whereof specifically:

"5. Where several cases are sought to be reviewed on certiorari to the same court that involve identical or closely related questions, it shall suffice to file a single petition for writ of certiorari covering all the cases."

4) *Rule 24, #5.* specifically, according to the discretion of the Justices of This Honorable Supreme Court of the United States:

"5. Any party may file a supplemental brief at any time while a petition for a writ of certiorari is pending calling attention to new cases not" presented "at the time of his last filing."

2. *HAWAII'S SUPREME COURT RULES:*

1) *Rule 1 (a) (1):*

"(a) Applicability of Other Court Rules; Definitions.

(1) The Hawaii Rules of Civil Procedure, the Hawaii Rules of Criminal Procedure, the District Court Rules of Civil Procedure and the District Court Rules of Penal Procedure are hereby adopted as a part of these rules whenever applicable."

2) *Rule 2(d): "Consolidation.* When cases involving a common question of law or fact are pending before the court, it may order a joint argument and make other orders concerning proceedings to avoid any unnecessary costs or delay."

3) *Rule 6(b):*

"6. *MOTIONS.*

(b) Time. A copy of the motion shall be served on opposite party not less than 10 days before the hearing, unless otherwise ordered by the court. The moving party shall serve and file with his motion a brief written statement of reasons in support of the motion and the authorities on which he relies. The adverse party, if he intends to oppose the motion, shall serve and file a brief written state-

ment of reasons in opposition to the motion and the authorities on which he relies in such manner that they will be received not later than 5 days after he has been served, or earlier if ordered by the court. Failure to serve or file a written statement in opposition to a motion, or failure to appear at the hearing may be deemed a waiver, of objection to the granting" "of the motion. A party who does not oppose a motion shall notify the clerk and opposing counsel promptly.

4) *Rule 16. #16.1 and #16.2:*

"*RULE 16. DISCIPLINARY RULES.*

16.1 Jurisdiction. Any attorney admitted to practice law in this State and any attorney specially admitted by a court of this State for a particular proceeding is subject to the exclusive disciplinary jurisdiction of the supreme court and the Board hereinafter established. Nothing herein contained shall be construed to deny to any court such powers as are necessary for that court to maintain control over proceedings conducted before it, such as the power of contempt, nor to prohibit any bar association from censuring+ a member or suspending or expelling a member from membership in the association."

+This is against Amendment 1 of the *United States Constitution* for FREEDOM OF SPEECH AND/OR PRESS AND/OR PETITION against Malicious Abuse of Judicial Process.

16.2 Grounds for Discipline.

(a) The Code of Professional Responsibility, attached hereto as Exhibit A, as amended by this court, shall govern the conduct of all attorneys subject to discipline under this Rule.

(b) +Acts or omissions by an attorney which violate the Code of Professional Responsibility shall constitute misconduct and shall be ground for discipline, whether or not the act or omission occured in the course of an attorney-client relationship."

+THIS against Respondents Hogan, et al, and/or Respondents Koshiba and/or the Hawaii Bar Association.

A. *"THE CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS:*

1) EC2-27: "Regardless of his personal feelings, a lawyer should not decline representations because a client or a cause is unpopular or community reaction is adverse."

2) "EC2-28: The personal preference of a lawyer to avoid adversary alignment against judges, other lawyers, public officials, or influential members of the community does not justify his rejection of tendered employment."

3) "EC2-30: Employment should not be accepted by a lawyer when he is unable to render competent service or when he knows or it is obvious that the person seeking to employ him desires to institute or maintain an action merely for the purpose of harassing or maliciously injuring another."

4) "EC7-2[illegible]: The civil adjudicative process is primarily designed for the settlement of disputes between parties, while the criminal process is designed for the protection of society as a whole. Threatening to use, or using, the criminal process to coerce adjustment of private civil claims or controversies is a subversion of that process; further, the person against whom the criminal process is so misused may be deterred from asserting his legal rights and thus the usefulness of the civil process in settling private disputes is impaired. As in all cases of abuse of judicial process, the improper use of criminal process tends to diminish public confidence in our legal system."

5) "EC7-22: Respect for judicial rulings is essential to the proper administration of justice; however, a litigant or his lawyer may, in good faith and within the framework of the law, take steps to test the correctness of a ruling of a tribunal."

3. HAWAII'S REVISED STATUTES

1) *"551-26 Guardians of insane persons and spendthrifts; definitions.* The words "insane person" include every idiot, onocompos, lunatic, and distracted person, and word "spendthrift" includes every one who is liable to be put under guardianship on account of excessive drinking, gaming, idleness, or debauchery. These words shall be so construed in all the provisions relating to guardians and wards, contained in this or any other statute."

2) *"551-27 Notice, hearing, and appointment of guardian of insane person.* When the relations or friends of any insane person apply to any of the circuit court judges to have a guardian appointed for such person, the judge shall cause notice to be given to the supposed insane person of the time and place appointed for hearing the case, not less than fourteen days before the time so appointed. The judge shall also cause notice to be given to the husband, wife, parent, or any child or children of the supposed insane person if any there be residing within the jurisdiction of the court."

3) *"551-30 Guardian of spendthrift, petition for.* When any person by excessive drinking, gaming, idleness, or debauchery of any kind, so spends, wastes, or lessens his estate, as to expose himself or his family to want or suffering, his friends or relations may present a complaint to any of the judges hereinbefore mentioned setting forth the facts and circumstances of the case, and praying to have a guardian appointed for him."

4) *"551-31 Notice, hearing, appointment.* The judge shall cause notice to be given to such supposed spendthrift, of the time and place appointed for hearing the case, not less than fourteen days before the time so appointed. If after a full hearing it appears to the judge that the person complained of comes within

the description contained in section 551-30, he shall appoint a guardian of his person and estate, with the powers and duties hereinafter specified.

5) *"551-34 Expenses of defense of insane person or spendthrift.* When a guardian is appointed for an insane person or spendthrift, the judge shall make an allowance to be paid by the guardian, for all reasonable expenses incurred by the ward in defending himself against the complaint." +

+Petitioner Pro Se never was a spendthrift, but even a spendthrift would get more than 2/3 fixed expenses for defense of the charge, wouldn't they?

6) *"602-5 Jurisdiction and powers.* The Supreme Court shall have appellate jurisdiction to hear and determine all questions of law, or of mixed law and fact, which are properly brought before it on exceptions, error, or appeal duly perfected from any other court, judge, magistrate, or tribunal, according to law or by reservation of any circuit court or judge; and original jurisdiction in all questions arising under writs of error, certiorari, mandamus, prohibition, and injunction directed to circuit courts, or to circuit judges, or to magistrates, or other judicial tribunals and returnable before the supreme court."

7) *"605-2 Attorneys; license required."* A person may also appear "in person before any court, or justice, and there prosecuting" "his own cause, without the aid of legal counsel."

8) *"622-19 Transcripts of judicial records.* A transcript of any of the records and judicial proceedings of any court of record or of any judge of a court of record at chambers, shall be admitted in evidence upon being authenticated by the attestation of the clerk of the court with the seal of the court annexed, or of the judge before whom the proceedings were had, with the seal aforesaid."

9) *"641-4 Procedure on appeal, supreme court; new*

evidence. In case of appeal to the supreme court from a decision, judgement, order, or decree of a circuit judge in chambers, the supreme court shall have the power to review, reverse, affirm, amend, modify, or remand for new hearing, in chambers, such decision, judgment, order, or decree in whole or in part, and as to any or all of the parties. Every such appeal shall be taken on the record and no new evidence shall be introduced in the appellate court; provided that the appellate court may, in case evidence is offered which is clearly newly discovered evidence and material to the just decision of the appeal, admit the same."

10) *"641-24* *Judgment;"* "The supreme court may affirm, reverse, or modify the order, judgment, or sentence of the trial court. It may enter such order, judgment, or sentence, or may remand the case to the trial court for the entry of the same or for such other or further proceedings, as in its opinion the facts and law warrant. It may correct any error appearing on the record."+ "order, judgment, or sentence shall be reversed or modified if the court is of the opinion that error was committed which injuriously affected the substantial rights of the Plaintiff."+
+AMEN.

It may correct any error appearing on the record."+ *order, judgment, or sentence shall be reversed or modified if the court is of the opinion that error was committed which injuriously affected the substantial rights of the Plaintiff."+*
+AMEN.

11) *"657-20* *Extension by fraudulent concealment.* If any person who is liable to any of the actions mentioned in this part, fraudulently conceals the cause of such action from the knowledge of the person entitled thereto, the action may be commenced at any time within six years after the person who is entitled to bring the same discovers that he has such

cause of action, and not afterwards."

12) *634-26 (6)* *Joinder of causes of action.* The Plaintiff in a civil action may unite several causes of action in the same complaint when they all arise out of:"
"(6) Injuries to the person."
"The causes of action so united shall all belong to one only of those classes, and shall affect all the parties to the action, and they shall be separately stated; provided, however, that causes of action belonging to different classes may be so joined when they arise out of the same transaction."

13) *"711-21* *Joinder of defendants; accessories, receivers.* Any number of accessories at different times of the whole or any part or parts of any property which at one time have been "taken, extorted, obtained," "or otherwise disposed of in such a manner as to amount to a felony, may be charged with substantive felonies in the same indictment and may be tried together, notwithstanding the principal felon is not included in the same indictment, or is not in custody, or amenable to justice."

14) *"711-22* *Joinder of charges against defendant.* When there are several charges against any person for the same act or transaction, or for two or more acts or transactions of the same classes of crimes or offenses, which may be properly joined, instead of having several indictments, informations, or complaints, the whole may be joined in separate counts in one indictment, information, or complaint. If two or more indictments, informations, or complaints are found or entered in such cases, the court or district magistrate may order them to be consolidated."

15) *"711-23* *Misjoinder.* No indictment shall be quashed, set aside, or dismissed, nor shall any demurrer thereto be sustained for misjoinder of parties defendant or for misjoinder of offenses charged; and if either defect exists the court may sever the indictment contain-

ing it into separate indictments or into separate counts as shall be proper.

4. *HAWAII'S RULES OF CIVIL PROCEDURE OR THE FEDERAL RULES OF CIVIL PROCEDURE:*
   1) *"Rule 12(c): Motion for Judgment on the Pleadings.* After the pleadings are closed but within such time as not to delay the trial, any party may move for judgment on the pleadings. If, on a motion for judgment on the pleadings, matters outside the pleadings are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 56, and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56."
   2) *"Rule 56. SUMMARY JUDGEMENT*
      (a) *For Claimant.* A party seeking to recover upon a claim, may, at any time of the expiration of 20 days from the commencement of the action or after service of a motion for summary judgment by the adverse party, move with or without supporting affidavits for a summary judgment in his favor upon all or any part thereof."
   3) *"Rule 59. NEW TRIALS; AMENDMENT OF JUDGMENTS.*
      (d) *On Initiative of Court.* Not later than 10 days after entry of judgment the court of its own initiative may order a new trial for any reason for which it might have granted a new trial on motion of a party."
   4) *"Rule 73. APPEAL TO SUPREME COURT."* (STATUTES APPENDED)
5. *FEDERAL RULES OF CIVIL OR APPELLATE PROCEDURE:*
   1) *Chapter 133:28 (sec. 2101(c))* "Any other appeal or writ of certiorari intended to bring any judgment or decree in a civil action, suit or proceeding before the Supreme Court for review shall be taken or applied for within ninety days after the entry of such judgment or decree."
   2) *Chapter 133:28 (sec. 2101(e)* "An application to the Supreme Court for a writ of certiorari to review a case before judgment has been rendered in the court of appeals may be made at any time before judgment."

   3) *Chapter 133:28 (sec. 2106): Determination.* "The Supreme Court or any other court of appellant jurisdiction may "reverse any judgment, decree, or order of a court lawfully brought before it for review, and may" "direct the entry of such appropriate judgment, decree, or order," "as may be just under the circumstances."
6. *THE UNITED STATES CONSTITUTION AND AMENDMENTS:*
   1) AMENDMENT I (STATUTES APPENDED) AND DISCUSSED+
   2) AMENDMENT IV (STATUTES APPENDED) AND DISCUSSED
   3) AMENDMENT VI (STATUTES APPENDED) AND DISCUSSED
   4) AMENDMENT VIII (STATUTES APPENDED) & DISCUSSED
   5) AMENDMENT XIII (STATUTES APPENDED) & DISCUSSED
   6) AMENDMENT XIV (STATUTES APPENDED) & DISCUSSED
   7) AMENDMENT XIX (STATUTES APPENDED) & DISCUSSED
   8) AMENDMENT XXVII (STATUTES APPENDED) & DISCUSSED

V. *STATEMENT OF THE CASE*

A. *BACKGROUND*

For further explanation of the background of these cases; a hidden "Conspiracy" was latent in 1967 and was evident in 1968, when Respondents, Alfred Alphonse Yee, ex-husband of Petitioner Pro Se, Janice Ching Yee, through methods of false accusations, defamation, deprivation of love, security or "mental future security", and/or through threats, coerced attempted suicide wherefore it was not successful. The actual Conspiracy began to show in 1971, when Petitioner's ex-husband Alfred A. Yee, Respondent as instigator and/or perpetrator obtained a housekeeper by the name of Stephanie Kokernak, Respondent, as a Contributory Conspirator, who initially coerced the divorce by Petitioner Pro Se, who once didn't believe in divorce, but was not against it. Stephanie Kokernak, the maid was the tool

+in the pleadings.

which coerced the divorce, whereby she was employed from July, 1971 until April, 1972; and then got an extra months wages and loafed rent free at the Marco Polo Apartments; of which the company Alfred A. Yee & Associates then owned; for the month of May, 1972. Respondent Kokernak Perjured in her affidavit, which said she had no idea of the basis of alleged wrongs which Kokernak committed. She was not paid by the Company, and she was told her checks were drawn out of the joint checking account which was Alfred A. Yee and/or Janice C. Yee, against Kokernak who deliberately refused to take orders written and left taped daily on the cabinet of the kitchen. Respondent Kokernak deceptively stole the keys to the car, saying the office said she was to do the driving. I could drive for I had temporary insurance and was not under psychiatric care, and had a clearance by the psychiatrist Lum for driving, whereof once during about 5 sessions (total visits), Dr. L.Y. Lum said, "I know Alfred is sick, but you take the medicine." These were his exact words and the medicine was tranquilizer pills, which does not get to the root of the trouble, Respondent Alfred Yee *was* sexually mentally ill psychologically. This is not Defamation, Libel or Slander. Dr. Lum's attitude was the opinion of everybody involved in the cases earlier, which was not fair for Petitioner Pro Se Legal Rights for Freedom against "illegal restraint" after all for the *FIRST AMENDMENT of the U.S. CONSTITUTION*, also against Respondent Stephanie Kokernak for Illegal Invasion of Privacy as protected by the *FIRST AMENDMENT* again, for Petitioner Pro Se as homeowner and/or property owner against Respondent Kokernak as a trespasser who refused to leave although asked to quit and then was fired so many times by Petitioner, it was unbelievable anybody could be as crass as Kokernak, Respondent. To feel so helpless against a bully as a maid and not have any help by ex-husband Alfred Yee, Respondent, who sided for Kokernak and not for his ex-wife of 18 years of marriage then, and mother of his five (5) legitimate children, for as mother, Petitioner Pro Se Janice Ching Yee; I cannot understand how come Respondent Alfred Yee didn't fire Kokernak after the divorce, if he was righteous, and/or instead how come he gave Respondent Kokernak work in his Kahala Apartments? Also, Respondent Kokernak did anything to stop my writing or literary talent, of which Respondent Al-

fred Yee, ex-husband was guilty of previous to this incident. Other strange incidents which Respondent Kokernak was Guilty of was, standing in the master bathroom to watch Petitioner sleep in the bedroom, whereby my back was to the door, so Stephanie couldn't see Petitioner check the bedroom clock. It was impossible to feel safe taking a nap after that. Even the police were called one day to get rid of Stephanie Kokernak, Respondent, who stole the car keys and refused to give the keys back or leave. The police listened to Respondent Kokernak who rushed outside to the driveway and conversed in low tones to the two officers who left without listening to my side of the story. How could Respondent Stephanie Kokernak perjure and say she did nothing to cause the complaints against her? SHE COERCED THE DIVORCE.

Petitioner Pro Se hereby Appeals to This Supreme Court of the United States to Direct and/or Order Summary Judgement and/or Judgement on the Pleadings for Merits for Restitution for Petitioner Pro Se Janice Ching Yee against Respondent Stephanie Kokernak per Exhibit "KKK" and "KKK-X" (APPENDIX "E(a)")

By this divorce, Respondents, Edward Chun, et al, (USSC#75-1143) instigated a Malicious Defense by Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process as coercion for non-assertion of Legal Rights against coerced ignominy by coerced destitution and incompetancy by defamation, libel, and slander for Deprivation of Income and Legal Rights for Petitioner against Alfred Alphonse Yee, who threatened to "get" Petitioner, who divorced Alfred Alphonse Yee for this and physical violence.

Petitioner Pro Se's Complaints and/or Allegations against Respondent Edward Chun et al, was filed earlier in case USSC+75-1143, whereof Petitioner Pro Se's Petition hereby is pending for a Writ of Certiorari from This United States Supreme Court for a Show Cause Order whereby it can Direct and/or Order Hawaii's Supreme Court to Show Cause why it does not believe in Justice for Plaintiff-Appellant Pro Se as Petitioner Janice Ching Yee against Respondent Edward Chun, et al, as Conspirators* who's involvement was to conduct a Malicious Defense for

*page 3.

the Defamatory Injury of Plaintiff-Appellant Pro Se, as Petitioner Pro·Se, Janice Ching Yee against ex-husband Alfred Alphonse Yee et al, who threatened to "get" Petitioner who divorced Alfred Yee for this and physical violence. Petitioner's ex-attorney Robert Hogan et al, Respondents were told of this coercion for destruction, but treachery as another instigator and/or perpetrator for Conspiracy made Respondents Hogan et al, Malfeasant. For example, Respondent Robert Hogan et al wrote Edward Chun, et al, noting Stephanie Kokernak Respondent as harassment, but Respondent Hogan et al, traitors, refused to assert my Legal Rights to Order removal of Respondent Stephanie Kokernak, as Defendant (Appellee) OR, Respondent as Defendant Appellee Robert Hogan et al wrote a cognizant coherent point blank off the chest straightforward equitable (for alimony then, which is out) settlement, whereby both parties could have been satisfied and/or felt honorable as humans and/or as civilized beings. How come Hogan neglected to assert Legal Rights for these points for Petitioner as Plaintiff (Appellant Pro Se) for the Hearings on February 12, 1973, whereby Final Absolute was Granted? It was frustrating to find Respondent Robert Hogan, et al, a talker who's record looks terrific on paper, but who never asserted any Legal Rights for Petitioner as Plaintiff(Appellant Pro Se) whereby it can be seen in the non-assertion of Legal Rights to Appeal against the "guardian ad litem" OR for more equitable distribution of income and/or permanent custody of the children to Petitioner as Plaintiff (Appellant Pro Se) whereof an unprofessional plea was presented to Robert Hogan, et al in March 12, 1973 in rebuttal to a filed Financial Report by Defendants (Appellees) as Respondents Alfred Alphonse Yee, et al, whereof Respondent Hogan, et al, did nothing about it wherefore it was presented to the Family Court again on July 20, 1973 (APP. "E(1)"). How come Judge B. M. Vitousek refused to consider it for its competance, and instead, Ordered the "false arrest" "guardian ad litem" order, which was "Illegal Restraint" of person of Petition as Plaintiff (Appellant Pro Se) against the traumatic "mental restraint" of this Defamatory "false arrest", which was "Malice Aforethought" by Judge B. M. Vitousek, et al, Respondents and/or Conspirators* for "murder" of person, name, and/or reputation and/or

*page 3.

character of Petitioner as Plaintiff (Appellant Pro Se). The "Report" could have been ordered retyped by Respondents Hogan, et al, for conformity, if it was the problem. (APP. "E(1)")

Respondent Robert Hogan, et al's Conflict was Malice, which was Malevolent, Malfeasance for the Prejudiced Conspiracy against a capable independent woman as Petitioner Pro Se against Hogan, et al, who neglected to Appeal for custody of the children to Petitioner as Plaintiff (Appellant Pro Se) once custody was lost on July 30, 1973. The answer to the obvious question was, "Then you won't need the extra money", meaning the request of the July 20, 1973, Pleading for the Hearing in the lower Family Court. Because there was no recourse by Respondent Robert Hogan, et al, and/or no recourse from the Family Court, after many letters, directives, and Pleas left for Respondent Hogan, et al, which can be found in the Records as "Exhibits" in the Pleadings for Petitioner as Plaintiff (Appellant Pro Se); it was the natural reaction of any client to look for another lawyer. So, in October, 1973, printed copies of Pleadings were left for ten (10) different prominent lawyers, asking for help, whereby many said they couldn't take a case unless Hogan, et al, was to withdraw. Even (then) Attorney General Elliott Richardson received a copy, whereby the Justice Department Calvin Hawkins, mailed it back and said it was not in their Jurisdiction (then). How come suddenly there was an Order on Nov. 2, 1973, for a "guardian ad litem"? (APP. "F(1)")

How come Respondent Hogan et al, as ex-attorney for (Petitioner Pro Se as) Plaintiff (APPELLANT PRO SE) Neglected to Appeal for Petitioner Pro Se as Plaintiff (Appellant Pro Se) against Respondents as Defendants (Appellees) Alfred A. Yee, et al, or Respondents as Defendants (Appellees) as Defendants' (Appellees') attorneys Edward Chun, et al, for Malicious Abuse of Judicial Process? Or, how come Hogan, et al, neglected to Appeal "de Novo" against the Defamatory Court Psychiatrist Dr. Betty Adams' Perjured "severe chronic mental illness" False Evidence, which Judge B. M. Vitousek accepted in Malice against *HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS EC7-26:*

"The law and Disciplinary Rules prohibit the use of fraudulent, false, or perjured testimony or evidence."

Petitioner Pro Se hereby Appeals to the Honorable Justices of the Supreme Court of the United States to Grant Petitioner's Writ of Certiorari and/or Direct AND/OR Order Summary Judgement for Petitioner Pro Se against Respondents Robert Hogan, et al, who must pay Petitioner Pro Se Restitution per EXHIBIT "HL" AND EXHIBIT "HLL" (APP. "E(b)") for Traitorous Malevolent Malfeasance as Conspirators* in Violation of Assertion of Legal Rights for Petitioner Pro Se as Plaintiff (Appellant Pro Se). *OR*, Order Summary Judgement for Petitioner Pro Se against Respondents Judge B.M. Vitousek, et al's Malicious Complicity for Conspiracy for Judicial "Illegal Restraint" as "Suppression" and/or "Oppression" and/or Malicious Abuse of Judicial Process as the "false arrest" "guardian ad litem" Restraintive Coerced Incompetency "Order" against a good capable American woman as Petitioner Pro Se Janice Ching Yee for the *UNITED STATES CONSTITUTION* and its *AMENDMENTS*, specifically, *AMENDMENT I, AMENDMENT IV, AMENDMENT VI, AMENDMENT VIII, AMENDMENT XIII, AMENDMENT XIV, AND/OR AMENDMENT XXVII* all of which has been discussed in ALL of the Pleadings, most of them filed, others included as "exhibits" wherever possible.

THERE NEVER WAS A HEARING called before this "guardian ad litem" order, which invoked the Jurisdiction of This Court, as discussed previously. This was also, believe it or not, Malice for Conspiracy for Malicious "Illegal Prosecution" by Judge B.M. Vitousek, et al, and Conspirators* as Respondents as Defendants (Appellees) against Petitioner Pro Se as Plaintiff (Appellant Pro Se) for Legal Prosecution against the Conspirators* for evil Malice for Delay for Harassment for mental Injury or Injury of Petitioner Pro Se as Plaintiff Appellant Pro Se Janice Ching Yee who never committed adultery, crime as Conspiracy or deliberate sin as vain envy. The worse offender was Judge B.M. Vitousek whose Malevolent, Malfeasance was Conflict for Delay as Obstruction of Justice for Petitioner Pro Se as Plaintiff (Appellant) Pro Se against the Delay for Financial Settlement of a divorce initiated September 16,

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1971, filed September 14, 1972, and delayed and hampered by eleven Hearings and eleven (11) Supplemental Decisions and five (5) other Decisions which are hereby appended as APPENDIX "F(1 to 15)". The last Hearing was March 25, 1976, as discussed, whereof no final Judgement can be seen until "a week" from March 25, 1976. Even this Delay is unnecessary; for Vitousek's lower Family Court shouldn't wait at all; for ALL Pleadings for Petitioner Pro Se, as Plaintiff Appellant Pro Se, including the Pleadings of March 22, 1976 (APP. "B(10)") were clear enough. For, according to "*LAW OF TORTS*" by *William L. Prosser, on page 869 (3rd Edition) 1964;* damages are recoverable. (STATUTES APPENDED) [Apr. 2, 1976—no Judgement yet]

Previous to this, back in 1973 after the Final Absolute Divorce was filed, March 1, 1973, the Financial Settlement could have been effected and decided by the June, 1973 Financial Statement of Alfred Alphonse Yee personally, and/or the company, Alfred A. Yee and Associates; or decided by the December, 1973, Financial Statements. There was no cause for Delay by a Vacillatory Judge, who cannot make Equitable Settlements or proper Financial Settlements and/or whose Disability should exclude Judge B.M. Vitousek from the Judiciary bench. Therefore, will This United States Supreme Court please Direct and/or Order it so, against Judicial Prejudiced Malice for coerced "ignominy" by Judicial "financial enslavement" as the Eleventh Supplemental Decision, (APP. "F(15)") in its entirety, for Swindle besides, emphasizing page 2, bottom paragraph of page 3, and page 4, for Merit for Petitioner's Pleadings of March 22, 1976 "Motions" (APP. "B(10)") AND/*OR* Merit for Petitioner Pro Se's Pleadings for Complete Settlement, Custody of the children to Petitioner Pro Se as Plaintiff Appellant Pro Se, Janice Ching Yee, and for same Petitioner Pro Se's Real Good Record whereby This Supreme Court of the United States can Order the Defamatory Records Stricken off the Real Record for Petitioner Pro Se, for Equitable American Justice in Hawaii's Courts someday; and for present, for Petitioner Pro Se as Plaintiff Appellant Pro Se, Janice Ching Yee, I hereby Demand Monetary Restitution against Judge B.M. Vitousek, et al, per EXHIBIT "VLN" AND EXHIBIT "VXN", (APP. "E(c)") for Summary Judgement or Judgement on the Pleadings for $3 million for same Petitioner Pro Se, plus $1 million for same

Petitioner, as Summary Judgement for Restitution per EXHIBIT "KNK" and EXHIBIT "NK" (APP. "E(h)(2)") against Judge Norito Kawakami as another intentional Contributory Conspirator* as Respondent; if this should please the Justices of This Supreme Court of the United States for Merits for Monetary Claims for Petitioner Pro Se against Judge Kawakami's Malfeasant Conflict as Malicious Prejudice for Contributory Conspiracy for Prejudiced Persecution for Violation of Petitioner's Legal Rights to include *AMERICAN CONSTITUTIONAL RIGHTS* and its *AMENDMENTS*, specifically:

1. the *FIRST AMENDMENT* for FREEDOM by Equal Protection by Law; or as a Property Owner as Petitioner Pro Se;
2. the *FOURTH AMENDMENT* against Contributory "false arrest" as the ex "guardian ad litem order" or the recent enslaving "trustee orders" and "trust agreement" of the April 4 and April 11, 1976 and the February 2, 1976 ((APP. "F(9)"); (APP. "F(10)"); and (APP. "F(15)")). Hawaii's Supreme Court could have used their initiative and/or their prerogative to Direct a New Judgement on February 20, 1976, for case HSC #6102 whereby it could have filed the "Motion for Temporary Monetary Relief" for Plaintiff-Appellant Pro Se, whereby it included filing "Objections et al, and Motions, etc.", again for case HSC #6102; or HSC #6008 or HSC #5924, or for the "Consolidation". This would have prevented substantial damage by Coercion of Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se against all of the Respondents as Defendants-Appellees of these cases, who were ALL WRONG. Therefore, "the Court's" Orders of HSC, Dec. 30, 1975 and/or Jan. 12, 1976, Affirming Dismissal for case HSC #5949, and/or "the Court's" refusal to file and/or consider "Motions for Relief of Judgement". For, according to *Rule 59(a & d) of HR of CP+ and/or FR of CP,+* it could have ordered filing of Appellant as Petitioner Pro Se's "Motion for Relief of Judgment" of March 19, 1976, after "the Court's" consideration (which should not be until filed); so Petitioner as Appellant Pro Se (1) need not file a "Motion"

+HAWAII'S RULES OF CIVIL PROCEDURE.
+FEDERAL RULES OF CIVIL PROCEDURE.
*page 3.

in the lower Family Court on March 22, 1976 for "Motion for Relief for Judgment"; (2) need not file an "Amendment of Motion for Relief of Judgement" for stipulation to forego the hearing since Judgement can be completed by the Pleadings of the case or of these "Motions", wherefore, since no answer was received; a Hearing was held although it was agreed it could be cancelled whereby the parties; (3) need not have wasted half an hour at a Hearing on March 25, 1975, whereof the Judge was 15 minutes late; or Petitioner Pro Se as Plaintiff (Appellant) Pro Se (4) need not have "Motioned" and filed in Hawaii's Supreme Court, on March 23, 1976, "Motion to Amend Opening Brief" (APP. "B(10)") and order a check for Temporary Relief for $211,850.00, for it's all Petitioner's money once loaned to Respondent Alfred Alphonse Yee ex-husband of Petitioner Pro Se Janice Ching Yee, who cannot understand Hawaii's Supreme Court who can GRANT AND ORDER THIS SUM FOR PETITIONER PRO SE AS PLAINTIFF APPELLANT PRO SE, for its my money and/or Respondent Alfred A. Yee, et al, can borrow from any bank, so Petitioner Pro Se as Appellant Pro Se can use my money against Judge B. M. Vitousek's lower Family Court's Judicial "financial enslavement", which did substantial damage against Petitioner Pro Se's Financial situation, OR, Hawaii's Supreme Court can use its initiative and/or Prerogative, according to *HAWAII'S REVISED STATUTES, Chapter 641-4 and/or 641-24,* so it can Direct a New Judgment to conform to the evidence as presented for Judgment on the Pleadings for Petitioner Pro Se as Plaintiff-Appellant Pro Se for a Fast Determination of ALL CASES FOR PETITIONER PRO SE, particularly case HSC #6102, which was case HSC #5930, which was dismissed for prematurity, which was a simple divorce case FC-D #81258, which evolved into a Criminal Conspiracy case, whereof the Big Picture can already be seen.

OR, Hawaii's Supreme Court could Review or Reconsider its own Orders, which were in reversible ERROR and/or their Judgements can be challenged, according to HSC RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERA-

TIONS' EC7-22, for EC7-21 against Malicious Abuse of Judicial Process for substantial damage of Petitioner as Plaintiff-Appellant Pro Se Legal Rights against the "Conspiracy for Prejudiced Persecution" as mentioned and/or against the deletion of the names of Edward Chun, et al, of case USSC 75-1143, and/or Alfred Alphonse Yee, et al, the original instigators (including Judge B.M. Vitousek) and/or perpetrators of the "Conspiracy for Malicious Abuse of Judicial Process for Judicial "financial enslavement" or Judicial "involuntary servitude" which was "Cruel and Unusual Punishment", FOR NO CRIME?

To have excluded the Originators of the Oppressive Conspiracy, Respondent Chun et al, and/or Respondent Alfred Alphonse Yee, et al, (earlier, before HSC #6102 was docketed) does not make Sense or Reason. Instead, Hawaii's Supreme Court could have set a Precedent for Petitioner Pro Se as Plaintiff-Appellant Pro Se for Complete Settlement as Equitable Settlement whereby the sum can be computed as half of Respondents as Defendants-Appellees Alfred Alphonse Yee, ex-husband's income set at moment of absolute divorce (March 1, 1973) of $100,000.00 ($105,000. really) per year income for Petitioner as same Appellant Pro Se, and multiplied by another 50 years of living, if Petitioner lives to a dreamable age of 93 years old (from 1973) leaving the remaining figure of $500,000.00 as a small part of past uncollected earned income for Petitioner as Plaintiff-Appellant Pro Se, who has pled and presented about eight (8) different ways Respondents as Defendants-Appellees Alfred Alphonse Yee, et al, must pay Petitioner Pro Se Janice Ching Yee Complete Settlement as Equitable Settlement, not to forget custody of the children to Petitioner Pro Se Plaintiff-Appellant Pro Se, same JCY, who can take better care of them.

Also, Hawaii's Supreme Court can conform to all of the other Courts of the Nation, as the last Court of Appeals whereby permission, per HAWAII REVISED STATUTES, Chapter 622-19 can be given for a court reporter to be assigned to any case upon request, and copies of transcripts of court proceedings presented and/or transferred and/or sent to any court of the

nation, upon request. There should not be a feeling of "the Court" in the back room who decides *after* the "Motions" are considered for Non-assertion of pertinent Rights for Petitioner as Plaintiff-Appellant Pro Se, if it can be filed or not. This was and is Conflict by the clerks or "the Court", whoever it is, for Coercion of Non-assertion of Legal Rights for Petitioner as Appellant Pro Se. Hawaii's Supreme Court should control this. The clerks (Chun and/or Phillips) refused to file even an Amendment of Opening Briefs to exonerate any parties willing to sign Affidavits for case HSC #5924, HSC #5970, and HSC #6008, (APP. "H") although this was included in part of the Pleadings and not strongly emphasized. This was not only Violation of Petitioner's Legal Rights as Plaintiff-Appellant Pro Se, it was also Violation of Legal Rights for the parties who were not involved. "The Court" said it was because, according to "the Court Record", the last "Motion" was Defendants-Appellees' "Motion to Dismiss or Affirm", thereby corroborating the fact they ("the Court") still refused to file the "Objections, etc., and/or Motions to Reconsider Order filed Feb. 13, 1976", which was presented to "the Court" on Feb. 17, 1976, refused filing by the clerks; whereupon it was presented for filing by Hawaii's Supreme Court Justices on the March 9, 1976 Hearing for six (6) members of the Conspiracy by nine (9) Conspirators*. This is also discussed in the Feb. 13, 1976, Feb. 17, 1976, and/or March 9, 1976 situations for JURISDICTION for This Supreme Court of the United States, wherefor Petitioner Pro Se Appeals to This Court to Order the lower Family Court of Hawaii to Strike the Defamatory Psychiatrist Dr. Betty Adams, et al's Report AND Strike the Defamatory Social Worker Gerry Nagahisa, et al's Report of Petitioner Pro Se's Real Records, AND/OR might This Supreme Court of America set a precedent and Order custody of the children to Petitioner Pro Se for better care of ALL of them, and for Real Records for Petitioner Pro Se Janice Ching Yee. Also, please Order or Direct the lower Family Court of Hawaii to strike its "enslaving" Supplemental Decisions, specif-

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ically the Sixth and Eleventh Supplemental Decisions which Judicially Restrain and Impose; and/or makes loans of Petitioner's money of which Respondent Alfred Yee, et al borrows, without paying interest to Petitioner Pro Se against alimony, which is 2/3 fixed expenses of Petitioner Pro Se, who pleads against this and Judge B.M. Vitousek's tendency to decrease alimony after any income and expense statement is presented or alimony is criticized (APP. "B(11)").

3. the *FIFTH AMENDMENT* against self incrimination against paying Respondents as Defendants Appellees Hogan, et al, Respondents as Defendants Appellees Nickelsen, et al, and/or Respondents as Defendants Appellees Koshiba and/or the Hawaii Bar Association's costs, after all Petitioner Pro Se as Plaintiff-Appellant Pro Se, never was at fault. All Respondents as Defendants-Appellees must pay costs as part of Summary Judgement for Petitioner Pro Se as Plaintiff-Appellant Pro Se, who hereby Appeals to This Supreme Court of the United States to GRANT PETITIONER PRO SE JANICE CHING YEE FOR WRIT OF CERTIORARI AND/OR DIRECT HAWAII'S SUPREME COURT AND/OR ORDER SUMMARY JUDGEMENT OR JUDGEMENT ON THE PLEADINGS FOR SAME PETITIONER against Respondent as Defendant-Appellee Robert Hogan, et al, per EXHIBIT "HL" and EXHIBIT "HLL", (APP. "E(b)"); AND/OR SUMMARY JUDGEMENT AND/OR ON THE PLEADINGS FOR SAME PETITIONER against Respondent as Defendants-Appellees Harold Nickelsen, et al, Per EXHIBIT "NO" and EXHIBIT "NON" (APP. "E(e)") who didn't have the decency to decline the Void, Illegal "guardian ad litem order"; for Respondent Nickelsen was once the Hawaii Bar Association's President and/or Director. Also, Respondents Harold Nickelsen et al, was on the list of ten (10) attorneys contacted for help against Respondents Robert Hogan, et al. How come Respondent Hogan, et al, neglected to Appeal against this Malfeasant Impropriety which Respondent as Defendant (Appellee) perpetrated as a Conspirator* for Oppression, Fraud, Illegal

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Restraint, and/or Coercion for Incompetency and Non-assertion of Legal Rights for Petitioner Pro Se as Plaintiff (Appellant Pro Se) against the sixteen (16) months which is lost, whereby Malfeasant Respondent Nickelsen, et al, sat as Conspirators* as Oppressors for humiliation of Petitioner Pro Se as Plaintiff-Appellant Pro Se, Janice Ching Yee, who never committed any adultery, crime, or deliberate sin to warrant this "cruel and unusual punishment", of sixteen (16) months Delay, which is against the

4. the *SIXTH AMENDMENT* for a speedy trial, but not so speedy it denies Justice for Petitioner for Plaintiff (Appellant) Pro Se. (APP. "G(c)"—Transcript of the lower Hawaii's Circuit Court Trial against Vitousek, et al., Respondents as Defendants.
5. the *EIGHTH AMENDMENT* against this "Cruel and Unusual Punishment", as discussed earlier in Jurisdiction of This Court, and/or Pleadings of This Petition.
6. the *THIRTEENTH OR FOURTEENTH AMENDMENT* for Due Process of Law against the non-hearing for the ex "guardian ad litem" order. *OR* for Equal Protection by Law against the Hawaii Bar Association as Respondents and/or their once Ethics Commission Chairman Respondent James Koshiba, who in March, 1974 was left very Unprofessional Complaints and/or Allegations against Respondent Robert Hogan, et al, Conspirators* and/or Respondents Judge B.M. Vitousek, et al, Conspirators* whereof the Complaint against Vitousek was not answered until March 3, 1976, whereby Disciplinary Counsel Jung Lowe talked to Petitioner Pro Se previously about the latter part of January, 1975, wherefore the Complaints were left for the Ethics Committee of the Hawaii Bar Association in March, 1974, asking for help. In June, 1974, Respondent Koshiba, et al, reported Conspirator* Malfeasant Respondent Robert Hogan, et al, "ethical", which then made Respondent James Koshiba "unethical" as the Ethics Commission Chairman, et al, who was then also a Contributory Conspirator* if he refused to see Respondent Hogan, et al's Malfeasant Conflict for Preju-

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diced Persecution wherefore Koshiba, et al's Conflict was Prejudiced Malice for Coercion of Non-assertion of Legal Rights for Petitioner Pro Se as Plaintiff (Appellant Pro Se), against Respondent Koshiba and/or the Hawaii Bar Association, who could have stopped the Conspiracy then in 1974, instead of perpetrating it, wherefore from late 1973 until present March, 1976, more than a hundred attorneys of the Hawaii Bar Association were asked to help Petitioner Pro Se as Plaintiff-Appellant Pro Se, even for Appeal to this Supreme Court of the United States, till I thought better of it and used the time to Appeal Pro Se. All of them said they couldn't help on a contingency basis, even if it was for (recent even) 10% of Collection of Summary Judgement or Judgement on the Pleadings. All of them could help on a retainer basis, which was impossible if alimony was 2/3 of fixed expenses of Petitioner Pro Se's, and Petitioner didn't dare spend the small reserve saved from inheritance whereby half has been spent already, OR all pleas to Hawaii's Courts have been ignored for money, or refused filing by the clerks.

Besides Dave Schutter's $5000.00 Retainer Fee for one Appeal to Hawaii's Supreme Court was exorbitant;

OR, John Parks' $465.00 for sitting on the case for two (2) weeks and sitting in an Illegal Closed Hearing, in May, 1975, which excluded the Court Reporter Ronald Kihara, or Petitioner Pro Se as Plaintiff (Appellant Pro Se);

OR, Judge K. Miho of the lower Circuit Court of Hawaii, who postponed the May 13, 1975 Hearing, although it was pleaded by Petitioner Pro Se as Plaintiff (Appellant) Pro Se, a check was necessary for Petitioner as Plaintiff (Appellant) Pro Se, who was leaving in the afternoon for Petitioner's daughter's College Graduation and/or the money was necessary for Petitioner's trip, as decreed and/or allowed by the Sixth Supplemental Decisions (APP. "F(9)" & "F(10)")

OR, Judge John West of the lower Circuit Court at the June 6, 1975 Hearing, who refused to cite Respondents as Defendants (Appellees) Alfred Alphonse Yee, et al, for Contempt of Court for Non-payment of travel expenses as decreed (it has not been paid back entirely) AND/OR refused to order payment for sum noted in

the Financial Show Cause Order, dated May 13, 1975.

OR, David Ingman, Malfeasant attorney, who contracted to prepare the Opening Brief for case #5930, but was not started on preparations on Friday Aug. 22, 1975, whereby Petitioner Pro Se as Plaintiff-Appellant Pro Se FIRED David Ingman, on Friday August 22, 1975, and asked for the return of $750.00 against Breach of Contract, unless he could give copies of his notes so it could be evidence for tax purposes, wherefore Respondent Ingman never presented any worksheets or copies of notes for the money ($750.00) which he never returned, or paid back. Once Petitioner found out about this, Petitioner Pro Se as Plaintiff-Appellant Pro Se, worked through the weekend to have the Opening Bried filed August 26, 1975, wherefore David Ingman filed an "Appearance of Counsel" on Monday August 25, 1975, whereby earlier he said it was not necessary, then filed "Extension of Time for Filing Opening Brief" WHICH WAS NOT NECESSARY FOR PETITIONER PRO SE, AS PLAINTIFF-APPELLANT PRO SE, who was prepared and filed the Opening Brief for HSC #5930 on August 26, 1975, when it was due. How come Hawaii's Supreme Court didn't consider Pleadings for Petitioner as Plaintiff-Appellant Pro Se and use initiative and/or prerogative and/or Direct a New Judgement against the substantial damage of Legal Rights for Petitioner Pro Se as Plaintiff-Appellant Pro Se for a fast determination of case of HSC #5930, which was FC-D #81258, which is still pending in the lower Family Court whereof "Appeal Against the Unequitable Terms of the Final Absolute Divorce Decree and Child Custody" have been docketed as HSC #6102; wherefor it is pending. Hawaii's Supreme Court could have, according to HAWAII'S *REVISED STATUTES, Chapter 641-4 and 641-24* (STATUTES INVOLVED) OR, the *UNITED STATES CONSTITUTION* and all of its AMENDMENTS, wherefor all of the CIVIL AMENDMENTS, for Jurisdiction for Hawaii's Supreme Court; GRANT AND ORDER COMPLETE SUMMARY JUDGEMENT OR JUDGEMENT ON THE PLEADINGS FOR COMPLETE SETTLEMENT AS EQUITABLE SETTLEMENT FOR PETITIONER PRO SE AS PLAINTIFF AP-

PELLANT PRO SE JANICE CHING YEE FOR $3 MILLION, according to Pleadings and/or EXHIBIT "AXE" AND EXHIBIT "AFT". (APP. "B(11)") It still can Order this for case HSC #6102, on Appeal.

OR, Durrell Douthit, ex-Legal Aid worker, who collected $50.00 for reading the case and never wrote any report as contracted and refused to answer questions before reading, but no answers after.

OR, Judge Norito Kawakami is not a member of the Hawaii Bar Association. All of the Judges of Hawaii should be members of Hawaii's Bar Association for Disciplinary purposes of Hawaii's Judges and/or Lawyers.

SO, PETITIONER PRO SE HEREBY APPEALS TO THIS SUPREME COURT OF THE UNITED STATES TO GRANT PETITIONER PRO SE'S WRIT OF CERTIORARI AND/OR DIRECT AND/OR ORDER JUDGEMENT OF THE PLEADINGS OR SUMMARY JUDGEMENT FOR $2 MILLION FOR PETITIONER PRO SE JANICE CHING YEE against Respondents' Malevolent Malfeasant James Koshiba and/or the Hawaii Bar Association who were in Violation of Legal Rights, including *HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATION'S EC7-21, EC2-30 (STATUTES APPENDED)* OR *EC2-27 and/or EC2-28*, whereby

> "lawyer(s) should not decline representation because a client of a cause is unpopular or community reaction is adverse"; or "to avoid adversary alignment against Judges, other lawyers, public officials, or influential members of the community does not justify his rejection of tendered employment",

as pled for Restitution for Merits for Monetary Claims for Petitioner Pro Se Janice Ching Yee; per EXHIBIT "KO", EXHIBIT "KOK", AND EXHIBIT "OKE" (APP. "E(f)"); against Respondents Koshiba, et al, who probably didn't even check on the case in the Family Court or he would have seen the Illegality of the ex-"guardian ad litem order", which then supposedly was caused by the False Defamatory Perjured Reports by Respondents Gerry Nagahisa's "behavior

does not relate to the Children" of a capable woman whose real Records of five (5) occasions as Cub Scout Den Mother or five (5) occasions as Punahou School Homeroom Mother or once as Sunday School Teacher or twice as Missions Chairman writing to a Church adopted orphan or originator of original birthday parties every year for five (5) children until loss of custody and even then if they didn't say "no, Dad wants to go out" or something similar, or recent encouragement to help the children start their side business, does not seem a bit fair. OR, Respondents Nagahisa, et al's Prejudiced Malice which made use of the smallest things, as "Tuesday as a bad day", which was definite Perjury, after all, for Petitioner Pro Se does not believe in horoscopes, but is cognizant of them, whereby as a Scorpio, Tuesday's a good day for Petitioner Pro Se. This is a small sample of Respondents Nagahisa, et al's deliberate Perjured False Evidence and Reports, which was contributory Conspiracy. OR, against Respondents Dr. Betty Adams, whose Defamatory perjured "Malice Aforethought" "severe chronic mental illness" in which Dr. Betty Adams' Report perpetrated malice for the Conspiracy for "murder" of reputation name and character or person of Petitioner Pro Se against Respondents Contributory Conspiracy for Coerced Incompetency for Coerced Ignominy by Coerced Destruction for Deprivation of Income and Legal Rights for Petitioner Pro Se, against this court psychiatrist Respondents Dr. Betty Adams, et al, who couldn't see

Respondents Alfred Alphonse Yee was a latent "murderer" who was so smart, he coerced his victim to "murder" themselves or "Coerced suicide", wherefore Alfred Yee as the latent or potential murderer, was the one who was mentally ill then, and Petitioner Pro Se should not pay twice for being injured or "murdered", supposition intended. Also the children never got enough of their Father Alfred Yee, who once was not available for the children's "activities", so their punishment against their Father Alfred Yee, Respondent, was to make him stay home, and their punishment against their Mother Janice Ching Yee, Petitioner Pro Se was to stop the dominant aspects of her personality for leading children and/or encouraging

them to aspire. Unknowingly the children contributed to Judge B.M. Vitousek's Prejudiced Malice and/or the Conspirators* Malice against a good capable American woman as Petitioner Pro Se as Plaintiff Appellant Pro Se Janice Ching Yee. Once coerced to suicide is bad enough, but for "the Courts" to inflict fifty-three (53) months of "Cruel and Unusual Punishment" against the victim as Petitioner as Plaintiff-Appellant Pro Se, can be termed unfathomable. Therefore, Respondents Nagahisa et al, and/or Adams, et al's Contribution to Respondents Judge B.M. Vitousek's Malice for loss of custody of the children to Petitioner Pro Se, as the better parent for Petitioner's children, or against Respondents Judge Vitousek's Conflict which is Malice, where Vitousek hates Petitioner and/or Petitioner's children, not cognizant Respondents Vitousek, et al's Judgements were for "Destruction" of themselves or their Mother Janice or their morals or of their earlier Christian Training whereby even Job asked, "WHY?" Wouldn't the children wonder about Christian Justice wherefore they knew Malfeasant Malicious Judge Vitousek was once a member of "our" Church and served on the Altar Guild with Mother Janice Ching Yee, Petitioner Pro Se, who never committed adultery, crime, or deliberate sin, but is so terribly restrained; and how come their Father Alfred Alphonse Yee, Respondent would gather them together in April, 1973 and point to Mother's picture and/or yell, "Whore"? No matter how much active silent denial by good actions and reminder of past actions, never erased this traumatic doubt from their minds as evidenced by 173 weekends alone after pleas for any of Hawaii's Courts where Pleadings have been filed, any Judges sitting on the cases, the "Dean" of the Church, a couple of the Children's Godparents, Grandparents, Uncles and Aunts of the children, or Lawyers, all of whom seem to want to help Respondents Alfred Alphonse Yee et al, who was at FAULT, to "get" his ex-wife Janice Ching Yee as Petitioner Pro Se, who hereby Appeals to This Supreme Court of America to GRANT PETITIONER JANICE

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CHING YEE'S WRIT OF CERTIORARI AND/OR DIRECT AND/OR ORDER PERMANENT CUSTODY OF THE CHILDREN TO PETITIONER PRO SE who can teach the children to love, respect, honor, and learn responsibility. Petitioner Pro Se also Appeals to This Supreme Court of the United States to Direct and Order JUDGEMENT ON THE PLEADINGS OR SUMMARY JUDGEMENT FOR $2 MILLION FOR PETITIONER PRO SE, JANICE CHING YEE FOR RESTITUTION FOR MERITS FOR MONETARY CLAIMS FOR COMPLAINTS and/or ALLEGATIONS FOR GRIEF SUFFERED, AGAINST NAGAHISA, et al, AND/OR ADAMS, et al, per EXHIBIT "FO" AND EXHIBIT "FOE" (APP. "E(d)") AND TO STRIKE THE DEFAMATORY RECORDS IN ITS ENTIRETY OUT OF PETITIONER PRO SE AS PLAINTIFF APPELLANT PRO SE'S REAL RECORDS. FOR THIS AND FOR AMERICAN LEGAL RIGHTS, I THANK THIS SUPREME COURT OF THE UNITED STATES.

After talking to many members of the Hawaii Bar Association and others, Mr. Nelson from Bishop Trust Company suggested Robert Franklin, among a couple of other names. Respondent Robert Franklin acquiesced and contracted to sue Respondent Robert Hogan, et al, and/or to represent Petitioner as Plaintiff (Appellant Pro Se). Respondent Robert Franklin made an Appearance of Counsel on March 8, 1974, whereof soon after Robert Franklin dropped the bomb whereby he was being represented by Robert Hogan, et al, in his, Robert Franklin's, divorce case, and "anyway" he "didn't say" he "would sue Hogan," by letter on May 16, 1974 (APP. "D(7)") This was Perjury for it was later also supposedly said in Family Court in the September 6, 1974 Hearing, but it is not in the transcript, although I remember it because it was after my plea of September 4, 1974 (APP. "D(8)"), and I was so frustrated. Petitioner Pro Se hereby requests This Court to Order copies of transcripts if needed for further evidence of Merits for Petitioner Pro Se for Complaints and/or Allegations against the lower Courts' Deliberate Delay for Obstruction of Justice for Plaintiff-Appellant Pro Se as Petitioner Pro Se against the Con-

spirators*' Delay as Malice for Harassment for Malicious Injury of Petitioner Pro Se, who hopes and prays for this Supreme Court to excuse Petitioner's angry frustrated answers in the lower Family Court if noted in the Hearings. It's a matter of not wanting to even talk to others if I find they hate me. Also, Respondent Robert Franklin's Conflict was Fraud and Breach of Contract, Impropriety, (representing both sides in a case) Malevolence for Neglecting to consider wishes of Petitioner as Plaintiff (Appellant Pro Se) and/or Violation of Legal Rights for Petitioner as Plaintiff (Appellant Pro Se) for Custody of the Children to same Petitioner and Complete Settlement, for, half of Respondent Alfred Alphonse Yee's income or $4000.+ per month of temporary alimony until Final Complete Settlement of $3 million for Petitioner for Final Absolute Divorce, as pled, whereby paid amounts can be deducted; AND/OR Malfeasance for Conflict of a Fraudulent Contract, whereby Respondent Robert Franklin said he could sue Respondent Conspirator* Robert Hogan, et al, and was therefore hired for this purpose or Petitioner Pro Se never would have hired Respondent Robert Franklin, who was by then a Contributory Conspirator* for Swindle by the Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Petitioner who hereby Appeals to This United States Supreme Court to GRANT PETITIONER PRO SE JANICE CHING YEE'S WRIT OF CERTIORARI AND/OR DIRECT HAWAII'S SUPREME COURT TO ORDER OR ORDER SUMMARY JUDGEMENT OR JUDGEMENT ON THE PLEADINGS FOR $2 MILLION FOR SAME PETITIONER PRO SE FOR MERITS FOR MONETARY CLAIMS, PER EXHIBIT "IS" AND EXHIBIT "IS-X" (APP. "E(g)") Against Robert Franklin's blatant Conflict for Malevolent Negligence, Delay, Fraud, Breach of Contract, Obstruction of Justice and/or Violation of Petitioner's Legal Rights, as discussed for AMERICAN CONSTITUTIONAL RIGHTS AND

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ITS AMENDMENTS AGAINST CONSPIRACY whereby Conspirator* Robert Franklin's Malfeasant Impropriety was against HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-21 (STATUTES INVOLVED) OR, the *FOURTEENTH AMENDMENT* again against Judicial "Financial enslavement" or Judicial "involuntary servitude" as discussed, whereof Respondent Robert Franklin and/or Respondent Robert Hogan, et al, were Contributors to this Illegality as ex-attorneys of Petitioner Pro Se, who didn't imagine such things can happen in a regular Court of Law, whereof Petitioner hereby prays This Court does consider all Pleadings against Judicial "financial enslavement" and/or Judicial "involuntary servitude".

7. the NINETEENTH AMENDMENT FOR EQUAL RIGHTS FOR WOMEN speaks for itself as Petitioner Pro Se speaks for same Janice Ching Yee Plaintiff-Appellant Pro Se as a capable American Woman who wants to set a good precedent for Complete Settlement as Equitable Settlement for a good intelligent woman as same Petitioner who didn't commit adultery, crime, or deliberate sin.
8. The TWENTY-SEVENTH AMENDMENT also speaks for women, for EQUAL RIGHTS FOR ALL.

THEREFORE, looking back on the Pleadings of all of these cases against Respondents, "Respondent" Judge Norito Kawakami, is "Guilty" of Contributory Conspiracy for Prejudiced Persecution for Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Petitioner Pro Se Janice Ching Yee and should therefore be included by Joinder as an additional Respondent in case HSC #6008; and/or disbarred.

Besides, in December, 1975, two attempts were made to join Kawakami to Respondents Koshiba, et al's suit but it was denied filing by the clerks of Hawaii's Supreme Court wherefore it is presented here as a joinder to Respondents Judge B. M. Vitousek's case since Respondents Koshiba &/or the Hawaii Bar Association was probably unappropriate. (APP. "E(h)(i)") and (APP. "E(h)(2)")

*page 3.

Therefore, Hawaii's lower Courts were WRONG, for Hawaii's lower Courts didn't believe in Justice for Petitioner Pro Se as Plaintiff-Appellant Pro Se Janice Ching Yee.

VI. *REASONS FOR GRANTING THIS WRIT OF CERTIORARI*

1. The lower Supreme Court of Hawaii was in ERROR for Affirming the Orders, Judgements, and Decrees of the lower Circuit Court of Hawaii for case HSC #5949, AND/OR the lower Circuit Court was in HARMFUL, PREJUDICED, REVERSIBLE ERROR for their Orders, Judgments, and Decrees which were for the Respondents as Defendents (Appellees), who were all in Conspiracy as Conspirators* and/or Contributory Conspirators*, whereby all conspired and colluded for Prejudicial Judicial Persecution by Malicious Abuse of Judicial Process for Humiliation by Defamatory, Libelous, and Slanderous Coerced Ignominy by Coerced Incompetency and Destitution by Judicial "financial enslavement" and Judicial "involuntary servitude" by Deprivation of Income and Legal Rights for Petitioner Pro Se.

2. Hawaii's Supreme Court should have Directed a New Judgment for Judgment on the Pleadings for Petitioner Pro Se as Plaintiff-Appellant Pro Se Janice Ching Yee and should have voided the lower Circuit Court's Judgments for Prejudice, not affirmed it!.

*page 3.

VII. CONCLUSION

The Reason for the figures of Restitution for Petitioner Pro Se, are hereby set also because of the Respondents as Conspirators' *Complicity for Conspiracy for Deprivation of $3 million for Petitioner Pro Se Janice Ching Yee as Plaintiff-Appellant Pro Se for Complete Financial Settlement for Divorce as Equitable Settlement for same Petitioner Pro Se, for Judgment on the Pleadings and/or Summary Judgment, as pled, for Restitution for Merit of Petitioner Pro Se's Complaints and/or Allegation for Monetary Claims against ALL Respondents; other than Alfred Alphonse Yee, et al's payment of $3 million for Petitioner Pro Se for Complete Settlement and/or Restitution; AND/OR so ALL Respondents would know how it feels to lose more than $1 million once hard earned.

As an extreme Emergency Measure, can This Court please Order a check for $211,850.00, as pled in the March 22, 1976 "Motion for Relief Of Judgment" filed in the Family Court (APP. "B(10)") or March 23, 1976 "Amendment of Opening Brief", filed for HSC #6102 (APP. "B(10"), which has been ignored in Hawaii's lower Courts, both Hawaii's Supreme Court and/or Hawaii's Family Court.

Might This United States Supreme Court set a Precedent and Order "Relief of Judgment or Order", hereby Motioned, according to the *FEDERAL RULES OF CIVIL AND APPELLATE PROCEDURE, Chapter 133:28(sec. 2106),* as mentioned in the *STATUTES INVOLVED,* AND/OR *THESE RULES,* Rule 60(b-1, b-2, b-3, b-4, and/or b-6 for Concealment of Prejudiced Malice for Conspiracy for Deprivation of Income and Legal Rights for Petitioner Pro Se, who has no alternative than to Plead as Petitioner Pro Se as Plaintiff-Appellant Pro Se, who had one course of Business Law from Northwestern University about twenty-five (25) years ago for Law background and/or working in the Law Section in Northwestern's Deering Library; and/or the experience of studying or pleading for the past year, 1975, or past 15 (fifteen) months of Pleading, wherefor Might This Supreme Court please accept the continuous increase of Legal Knowledge by Petitioner Pro Se for Pleadings as a capable American Woman Janice Ching Yee, same Petitioner who wants to set a precedent for Complete Settlement as Equitable Set-

tlement for any Good Woman as same Petitioner Janice Ching Yee who does not need the torture of small alimony harassments which does not give FREEDOM FOR INDIVIDUALS living for both sides, wherefor same Petitioner Pro Se Janice Ching Yee hereby thanks This Supreme Court of America for its time.

Mrs. Janice Ching Yee

Mrs. Janice Ching Yee
Petitioner Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated March 31, 1976.

WILLIAM L. FLEMING of
CADES, SCHUTTE, FLEMING & WRIGHT
Attorneys for Respondents:
ROBERT HOGAN, ET AL;
HAROLD NICKELSEN, ET AL; and
JAMES KOSHIBA &/OR the HAWAII
BAR ASSOCIATION.
165 S. King Street
Honolulu, Hawaii 96813

RONALD AMEMIYA 694
NELSON CHANG 726
Attorney General & Deputy for Respondents:
GERRY NAGAHISA, ET AL; and/or
DR. BETTY ADAMS, ET AL;

RONALD AMEMIYA 694
CEDRIC CHOI 1375
Attorney General & Deputy for Respondent:
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STANLEY KANETAKE
Attorney for Respondent:
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228 Kuulei Road
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EDWARD Y.C. CHUN of
CHUN, KERR, & DODD
Attorneys for Respondent:
ALFRED ALPHONSE YEE, ET AL,
Suite 1408, AmFac Building
700 Bishop Street
Honolulu, Hawaii, 96813

NO._____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

JANICE CHING YEE, PETITIONER PRO SE

vs.

ALFRED ALPHONSE YEE and/or
ALFRED A. YEE & ASSOCIATES, HSC+, NO. 6102,
STEPHANIE KOKERNAK, HSC+, NO. 5943
ROBERT HOGAN and/or HOGAN, ROGHER, GRIMES & BYBEE, HSC+, NO. 5971
JUDGE B.M. VITOUSEK, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, HSC+, NO. 6008
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH AND/OR GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY, FIRST CIRCUIT, HSC+, NO. 5924,
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH, HSC+, NO. 5969,
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION, HSC+, NO. 5970,
ROBERT FRANKLIN, HSC+, NO. 5949, RESPONDENTS.

AFFIDAVIT OF PETITIONER PRO SE

I am Mrs. Janice Ching Yee of 3169 Alika Avenue, Honolulu, Hawaii, (96817), and being duly sworn and under oath swear and affirm that all of my "unprofessional" LEGAL PLEADINGS, including ALL PLEADINGS, are pled in good faith and/or with good intentions for I hereby will uphold the CONSTITUTION OF THE UNITED STATES OF AMERICA.

Mrs. Janice Ching Yee

Mrs. Janice Ching Yee
Petitioner Pro Se

Subscribed and sworn this
31st day of March, 1976.

/s/ Anthony C. Ornellas
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires: 2/13/80

CERTIFICATE OF SERVICE

I hereby certify three (3) copies of this Joint Petition for Writ of Certiorari, will be served for this day of March 31, 1976, on:

WILLIAM L. FLEMING of
CADES, SCHUTTE,
FLEMING & WRIGHT
Attorneys for Respondents:
ROBERT HOGAN, ET AL;
HAROLD NICKELSEN, ET
AL; and
JAMES KOSHIBA &/or the
HAWAII BAR ASSOC.
165 South King Street
Honolulu, Hawaii, 96813

RONALD AMEMIYA 694
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Attorney General and Deputy
for Respondents:
GERRY NAGAHISA, ET AL;
and/or
DR. BETTY ADAMS,
ET AL;

RONALD AMEMIYA 694
CEDRIC CHOI 1375
Attorney General and Deputy
for Respondents
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ET AL;
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Attorney for Respondents:
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Suite 1408, AmFac Building
700 Bishop Street
Honolulu, Hawaii, 96813

Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817

APPENDICES

STATUTES APPENDED

page

1. (EXCEPTION) LAW OF TORTS by William Prosser, (3rd Edition), 1964, page 869: 41

"There may be recovery of other damages, designated as "special", if there is specific pleading and proof. The Plaintiff may recover compensation for any arrest or imprisonment, *88* including damages for discomfort or injury to his health, *89* or loss of time *90* and deprivation of the society of his family. *91* He may recover any reasonable expenses to which he has been put in defending the prosecution and establishing his innocence *92* including attorney's fees in the criminal proceeding, *93* although such fees in the action for Malicious Prosecution itself are normally not recoverable. *94* In addition, he may recover for any specific financial loss such as the loss of present *95* or prospective *96* employment, which can be proved with reasonable certainty to have been caused *97* by the prosecution, provided that it is regarded as a foreseeable, or normal, consequence of the criminal proceeding." *98*
"Because of the intentional and outrageous nature of the tort"—or "false arrest" "guardian ad litem" or "trustee" order(s)—"malicious" ILLEGAL FALSE "prosecution is peculiarly adapted to the award of punitive damages, and it is agreed generally that the jury may award them when they find personal ill will or oppressive conduct in the "ILLEGAL FALSE "prosecution". *1*

88 Rich vs. Rogers, 1925, 250 Mass. 587, 146 N.E. 246, 37 A.L.R. 656 Wilson vs. Bowers 1887, 64 Mich. 133,31 N.W.
89 Stoecker v. Nathamson, 1904, 5 Neb. U of. 435 98 N.W. 1061
90 Hefer v. Hamburg Quarry Co. 1921, 208 Mo. App. 55, 233 S.W. 275
91 Walling v. Fields 1923, 209 Ala 389, 96 So. 471
92 Seidler v. Burns 1912 86 Conn. 249, 85 A. 369
93 Benderach v. Grujicich 1925, 30, N.M. 331, 233
94 Benderach v. Grujicich

2. HAWAII'S REVISED STATUTES:
Chapter 728(1), (vol. #7), 1968, page 797:

"Conspiracy defined. If two or more persons conspire:

1) To commit any offense;
2) To instigate or incite another or others to commit any offense;
3) To bring or maintain any suit proceeding knowing the same to be groundless; or
4) To cause another or others to be arrested, charged, or indicted for an offense, knowing them to be innocent thereof:

each shall be guilty of conspiracy. (PC 1869, c 28, +1; am L 1892, c 102, +1; RL 1925, +4331; RL 1935, +5720; RL 1945, +11120; am L SP 1949, c 10, +1; RL 1955, +268-1)

3. HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73 .34

Rule 73. APPEAL TO SUPREME COURT.

(a) How and When Taken. An appeal permitted by law from a circuit court to the supreme court shall be taken by filing a notice of appeal with the circuit court within 30 days from the entry of the judgment appealed from, except that: (1) upon a showing of excusable neglect the circuit court in any action may extend the time for filing the notice of appeal not exceeding 30 days from the expiration of the original time herein prescribed; (2) if a timely notice of appeal is filed by a party, any other party may file a notice of appeal within 14 days of the date on which the first notice of appeal was filed, or within the time otherwise herein prescribed, whichever period last expires. The running of the time for appeal is terminated as to all parties by a timely motion made by any party pursuant to any of the rules hereinafter enumerated, and the full time for appeal fixed in this subdivision commences to run and is to be computed from the entry of any of the following orders made upon a timely motion under such rules: granting or denying a motion for judgment under Rule 50(b); or granting or denying a motion under Rule 52(b) to amend or make additional findings of fact,

[95] *H. S. Leyman Co. v. Short, 1926, 214 Ky. 272, 283 S.W. 96.*
[96] *Stoecker v. Nathanson*
[97] *Cf. Baer v. Chambers 1912, 67 Wash 357, 121 P. 843*
[98] *Cf. Hanson v. Rhodes-Burford Furn. Co. 1923, 227 Ill. App. 471*
[1] *Western Union Tel. Co. v. Thomason, 4 Cir. 1918, 215 F. 833*

whether or not an alteration of the judgment would be required if the motion is granted; or granting or denying a motion under Rule 59 to alter or amend the judgment; or denying a motion for new trial under Rule 59. If the order or judgment appealed from is appealable only upon the allowance of the appeal by the court entering it, any application for such allowance must be made within 10 days after entry thereof and the appeal taken within 10 days after the allowance is granted.

Failure of an appellant to take any step other than the timely filing of a notice of appeal does not affect the validity of the appeal, but is ground only for such action as the supreme court deems appropriate, which may include dismissal of the appeal. If an appeal has not been docketed, the parties, with the approval of the circuit court, may dismiss the appeal by stipulation, filed in that court, or that court may dismiss the appeal upon motion and notice by the appellant.

(b) Notice of Appeal. The notice of appeal shall specify the parties taking the appeal and shall designate the judgment or part thereof appealed from. Notification of the filing of the notice of appeal shall be given by the appellant by serving the same in the manner provided in Rule 5."

(g) Docketing the Appeal; Filing of the Record on Appeal. The appellant shall cause the record on appeal as provided for in Rules 75 and 76 to be filed with the supreme court and the appeal to be docketed there within 40 days from the date of filing the notice of appeal. The record will be filed and the appeal docketed upon receipt by the clerk of the supreme court within the 40 days herein provided or within such shorter or longer period as the court may prescribe, of the record on appeal and, unless the appellant is authorized to proceed without prepayment of fees, of the filing fee fixed by law. When more than one appeal is taken from the same judgment, the circuit court may prescribe the time for filing and docketing, which in no event shall be less than 40 days from the date of filing the first notice of appeal. In all cases the circuit court may extend the time for filing the record and docketing the appeal upon motion of an appellant made within the period for filing and docketing as originally prescribed or as extended by a previous order, or upon its own motion by order entered within such period; but the circuit court shall not extend the time to a day more than 90 days from the date of filing the first notice of appeal. The motion of an appellant for an extension shall show that his inability to effect timely filing and docketing is due to causes be-

yond his control or to circumstances which may be deemed excusable neglect. The circuit court or the supreme court may require the record to be filed and the appeal to be docketed at any time within the time otherwise provided or fixed."

4. UNITED STATES CONSTITUTION++

A. AMENDMENTS:

1) *FIRST AMENDMENT:* 7,34,35,40

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

2) *FOURTH AMENDMENT:* 7,34,40

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

3) *SIXTH AMENDMENT:* 7,34,40,48

"In all criminal prosecutions, the accused (what about aggrieved?) shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation (against Plaintiff against "false arrest" restraintive "guardian ad litem"); to be confronted with the witnesses against him; to have compulsory process for obtaining witness in his favor, and to have the assistance of counsel for his defense (what about prosecution as aggrieved party?)

4) *EIGHTH AMENDMENT:* 7,34,40,48

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

5) *THIRTEENTH AMENDMENT:* 7,34,40,48

"Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by legislation."

6) *FOURTEENTH AMENDMENT:* 7,34,40, 48,57

"Section 1. All persons born (or naturalized) in the United States, and subject to the Jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; *nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."*

"Section 2, 3, 4, also, not specified and appended.

Section 5. "The Congress shall have power to enforce by appropriate legislation, the provisions of this article."

7) *NINETEENTH AMENDMENT:* 7,34,40,58

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

++*WORLD BOOK ENCYCLOPEDIA(vol.#19) 1971, page 141 to 145.*
++*ENCYCLOPEDIA BRITANNICA(vol.#3) 1967, page 618 to 619.*
++*ENCYCLOPEDIA BRITANNICA(vol.#6) 1967, page 401 to 407.*

"Section 2. Congress shall have power to enforce this article by appropriate legislation."

NO. 5949

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	Civil No. 44578
	)	
Plaintiff-Appellant,	)	MOTION TO DISMISS
	)	AND ALTERNATIVE
v.	)	MOTION TO AFFIRM
	)	
ROBERT A. FRANKLIN,	)	
	)	
Defendant-Appellee.	)	
	)	
	)	

FILED

1975 DEC 30 PM 4 07

/s/Clement J.H. Chun

CLERK SUPREME COURT

ORDER

APPENDIX "A(1)"

NO. 5949

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	Civil No. 44578
	)	
Plaintiff-Appellant,	)	MOTION TO DISMISS
	)	AND ALTERNATIVE
v.	)	MOTION TO AFFIRM
	)	
ROBERT A. FRANKLIN,	)	
	)	
Defendant-Appellee.	)	
	)	

ORDER

This court is of the opinion that a review of the pleadings and the proceedings in the trial court on:

(1) Defendant's motion to dismiss and alternative motion to strike;

(2) Plaintiff's motion to amend complaint, motion to strike Defendant's motion to dismiss, and motion for summary judgment for Plaintiff; and

(3) Plaintiff's motion to strike order to dismiss motion to amend complaint without leave to amend and motion to amend complaint for summary judgment,

shows that the trial court, in essence, considered the above motions as if the complaint had been amended in fact by the Plaintiff;

That thereafter, after hearing arguments and a review of the additional pleadings, the trial court affirmed its order granting Defendant's motion to dismiss.

Thus, on the basis of the record herein, appellee's motion to dismiss appeal is granted and the judgment of the trial court is affirmed.

DATED: Honolulu, Hawaii, December 30, 1975.

SEAL

FOR THE COURT:

/s/ William S. Richardson
Chief Justice

NO. 5949

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	
	)	
Plaintiff-Appellant,	)	
	)	
v.	)	PETITION FOR
	)	REHEARING
ROBERT FRANKLIN,	)	
	)	
Defendant-Appellee.	)	
	)	

FILED
1976 JAN 12 PM 3:46
s/ Clement J. H. Chun
CLERK-SUPREME COURT

ORDER

APPENDIX "A(1)"

NO. 5949

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	
	)	
Plaintiff-Appellant,	)	
	)	
v.	)	PETITION FOR
	)	REHEARING
ROBERT FRANKLIN,	)	
	)	
Defendant-Appellee.	)	
	)	

ORDER

The petition for rehearing filed on January 5, 1976, is denied without argument.

DATED: Honolulu, Hawaii, January 12, 1976.

FOR THE COURT:

SEAL

/s/ William S. Richardson
Chief Justice

MAX NAKATA GARCIA-738
Suite 990 Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813
Telephone: 524-3722

Attorney for Defendant

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 MAY 5 AM 10 42

/s/ RS. YAMADA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	)	Civil No. 44578
	)	
Plaintiff,	)	ORDER GRANTING
	)	MOTION TO DISMISS
vs.	)	WITHOUT LEAVE TO
	)	AMEND AND DENYING
ROBERT A. FRANKLIN,	)	MOTION TO AMEND
	)	COMPLAINT
Defendant.	)	
	)	

ORDER GRANTING MOTION TO DISMISS WITHOUT LEAVE TO AMEND AND DENYING MOTION TO AMEND COMPLAINT

Plaintiff filed her Complaint on March 17, 1975. Defendant filed a Motion to Dismiss and Alternative Motion to Strike on April 7, 1975. On April 17, Plaintiff filed a Motion to Amend Complaint. A hearing was held on April 17, 1975, and the Court reviewed the pleadings and heard the arguments. Good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Motion to Dismiss filed by Defendant is hereby granted, without leave to amend the Complaint.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that the Motion to Amend Complaint is hereby denied.

DATED: Honolulu, Hawaii, May 2, 1975.

APPROVED AS TO FORM:
/s/ JANICE CHING YEE,
Plaintiff

/s/ Norito Kawakami
Judge of the above-entitled Court

SEAL

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

/s/ R.S. Yamada
Clerk, Circuit Court,
First Circuit
State of Hawaii

APPENDIX "A(2)"

MAX NAKATA GARCIA-738
Suite 990 Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813
Telephone: 524-3722

Attorney for Defendant

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 JUL 18 AM 8 29

/s/ Y. BABA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	Civil No. 44578
Plaintiff,	ORDER DENYING MOTION TO STRIKE ORDER TO DISMISS MOTION TO AMEND COMPLAINT WITHOUT LEAVE TO AMEND AND MOTION TO AMEND COMPLAINT FOR SUMMARY JUDGMENT
vs.	
ROBERT A. FRANKLIN,	
Defendant.	

ORDER DENYING MOTION TO STRIKE ORDER TO DISMISS MOTION TO AMEND COMPLAINT WITHOUT LEAVE TO AMEND AND MOTION TO AMEND COMPLAINT FOR SUMMARY JUDGMENT

On May 6, 1975, Plaintiff filed a Motion to Strike Order To Dismiss Motion To Amend Complaint Without Leave To Amend and Motion To Amend Complaint For Summary Judgment. On June 4, 1975, a hearing was held on the above Motion, and arguments were heard, and good cause appearing therefor,

IT IS HEREBY ORDERED that the Motion To Strike Order To Dismiss Motion To Amend Complaint Without Leave To Amend and Motion To Amend Complaint For Summary Judgment is hereby denied. This order shall take effect as of June 4, 1975, nunc pro tunc.

DATED: Honolulu, Hawaii, July 16, 1975.

/s/ Norito Kawakami
Judge of the above-entitled Court

SEAL

APPENDIX "A(2)"

October 4, 1975

Office of the Supreme Court
Supreme Court of Hawaii
Honolulu, Hawaii

Dear Sirs:

Plaintiff-Appellant Pro Se hereby requests a copy of the transcript of the hearing dated September 2, 1975 at 10:30 a.m. for case No. 5903, according to *Hawaii's Revised Statutes, Chapter 622-19.*

May I also have a copy of the future transcript for the hearing dated October 21, 1975, at 9:30 a.m. for case No. 5930, according to *Hawaii's Revised Statutes, Chapter 622-19,* or can I request for a court reporter of my own?

Thank you for your kind attention.

/s/ Mrs. Janice Ching Yee
Plaintiff-Appellent Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

APPENDIX "A(3)(a)"

SUPREME COURT OF HAWAII

ALIIOLANI HALE

HONOLULU

CHIEF JUSTICE
WILLIAM S. RICHARDSON

ASSOCIATE JUSTICES
BERT T. KOBAYASHI
THOMAS S. OGATA
BENJAMIN MENOR
H. BAIRD KIDWELL

October 20, 1975

Mrs. Janice Ching Yee
3169 Alika Avenue
Honolulu, Hawaii 96817

Dear Mrs. Yee:

Re: S. C. Cases Nos. 5903 and 5930

Your request to this court as stated in your letter dated October 4, 1975, for a copy of the transcript of the hearing dated September 2, 1975, a copy of future transcript for case No. 5930, and your request for a court reporter are denied.

Very truly yours,

/s/ William S. Richardson
Chief Justice

APPENDIX "A(3)(a)"

December 29, 1975

HAWAII'S SUPREME COURT JUSTICES
HAWAII'S SUPREME COURT
HONOLULU, HAWAII

YOUR HONORS

Can you please excuse Plaintiff-Appellant Pro Se for challenging the word of the good Justices against releasing copies of the transcripts for Plaintiff-Appellant Pro Se per request of October 4, 1975, for according to *HAWAII'S REVISED STATUTES, Chapter 622-19: "Transcript of Judicial Records":*

"A transcript of any of the records and judicial proceedings of any court of record or of any judge of a court of record at chambers, shall be admitted in evidence upon being authenticated by the attestation of the clerk of the court with the seal of the court annexed, or of the judge before whom the preceedings were had, with the seal aforesaid."

So, can I please have copies of transcripts for the hearings of September 2, 1975 (case No. 5903); October 21, 1975 (case No. 5930), where counsel Ed Chun perjured for delay as this case does not have an interlocutory decree or judgement; and November 5, 1975 (case No. 5949); and permission to order any future transcripts.

Thank you for reversal of your denial of October 20, 1975, according to *HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITIES' ETHICAL CONSIDERATION 7-22.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Honolulu, Hawaii

APPENDIX "A(3)(a)"

Jan. 19, 1976

Office of Hawaii's Supreme Court
HAWAII'S SUPREME COURT
Honolulu, Hawaii

Dear Sirs:

Petitioner hereby requests for a "transcript of the record in the case" for No. 5903; Yee vs. Chun; "including the proceedings in the court whose judgment or decree is sought to be reviewed," to "be certified by the clerk of the Supreme "Court" of Hawaii, according to Rule 21 of the United States Supreme Court Rules, for review by Petition for Writ of Certiorari to the Supreme Court of the United States.

May this please include the entire record in Hawaii's Supreme Court, and/or lower Circuit Court; for S.C. No. 5903 and/or Civil No. 44245, Yee vs. Chun.

Thank you for your fast consideration to this matter.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
Petitioner

3169 Alika Avenue
Honolulu, Hawaii

APPENDIX "A(3)(a)"

Jan. 26, 1976

HAWAII'S SUPREME COURT JUSTICES
HAWAII'S SUPREME COURT
HONOLULU, HAWAII

Your Honors,

Can I please have a copy of the Transcript of the Proceedings of case No. 5930, as evidence of Defendants-Appellees' counsel Edward Y.C. Chun's Perjury, which is evidence for Plaintiff-Appellant Pro Se's Petition for Writ of Certiorari in the Supreme Court of the United States of America, for Yee vs. Chun, S.C. No. 5903.

Can the Justices please order a copy from the clerks, according to HAWAII'S REVISED STATUTES, Chapter 622-19, to be authenticated, signed, and sealed by the Justices or by the clerks.

Thank you for your fast consideration to this matter.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

APPENDIX "A(3)(a)"

EDWARD K. SUZUKI
CHIEF CLERK

SAMUEL K. MAKEKAU
DEPUTY CLERK

OFFICE OF THE CLERK
SUPREME COURT OF HAWAII
P. O. Box 2560
HONOLULU, HAWAII 96804

January 27, 1976

Mrs. Janice Ching Yee
3169 Alika Avenue
Honolulu, Hawaii 96817

Re: Case No. 5903—Yee v. Chun and
Case No. 5930—Yee v. Yee

Dear Mrs. Yee:

The Court has directed me to inform you that there is no such transcript of proceedings as referred to in your letter of January 26, 1976. Your request, therefore, will be denied.

Very truly yours,

/s/ Edward K. Suzuki
Edward K. Suzuki
Chief Clerk

APPENDIX "A(3)(a)"

March 19, 1976

HAWAII'S SUPREME COURT AND/OR OFFICE
HONOLULU, HAWAII

DEAR SIRS:

According to *Hawaii Revised Statutes, Chapter 622-19*, can I please have a copy of the transcript for the Hearing of March 9, 1976 for cases:

S.C. NO. 5924
S.C. NO. 5943
S.C. NO. 5969
S.C. NO. 5970
S.C. NO. 5971 and
S.C. NO. 6008

including matter pertaining to cases S.C. NO. 5903, 5930, 5949, and 6102, completely as mentioned in the Hearing, without any deletions in the testimony?

Thank you for this consideration.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

RECEIPT FOR CERTIFIED MAIL
No. 463581
Sent To: S.C. of Hawaii
Date: March 19, 1976

APPENDIX "A(3) (b)"

EDWARD K. SUZUKI
CHIEF CLERK

SAMUEL K. MAKEKAU
DEPUTY CLERK

OFFICE OF THE CLERK
SUPREME COURT OF HAWAII
P.O. BOX 2560
HONOLULU, HAWAII 96804

April 1, 1976

Mrs. Janice Ching Yee
3169 Alika Avenue
Honolulu, Hawaii 96817

Re: Yee vs. Nagahisa and others
Nos. 5924, 5943, 5969, 5970, 5971, 6008, 5903, 5930, 5949 & 6102

Dear Mrs. Yee:

Your request of March 19, 1976 for transcript of hearings for the above-entitled matters has been referred to the court for consideration.

The court has directed me to inform you that your request has been denied.

Very truly yours,

/s/ Samuel K. Makekau
Samuel K. Makekau
Deputy Clerk

SKM:gfk

APPENDIX "A(3)(b)"

NO. 5930

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE YEE,	FC-D NO. 81258
Plaintiff-Appellant,	APPEAL FROM THE SIXTH SUPPLEMENTAL DECISION AND ORDER PROVIDING FOR DIVISION AND MANAGEMENT OF PROPERTY; FOR SUPPORT AND MAINTENANCE OF PLAINTIFF FOR
vs.	
ALFRED A. YEE,	CUSTODY, SUPPORT, MAINTENANCE OF PLAINTIFF FOR CUSTODY, SUPPORT, MAINTENANCE AND EDUCATION OF CHILDREN AND DETERMINING OTHER MATTERS AT ISSUE, FILED APRIL 4, 1975; ETC.
Defendant-Appellee.	

FIRST CIRCUIT COURT,
FAMILY COURT

HONORABLE BETTY M.
VITOUSEK, JUDGE

DECISION AND ORDER

FILED
NOV 3 6:08 PM 1975
Darrell N. Phillips
CLERK SUPREME COURT

"B(1)"

NO. 5930

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE YEE,	) FC-C NO. 81258
	)
	) APPEAL FROM THE
	) SIXTH SUPPLEMENTAL
	) DECISION AND ORDER
	) PROVIDING FOR DIVI-
Plaintiff-Appellant,	) SION AND MANAGE-
	) MENT OF PROPERTY;
	) FOR SUPPORT AND
	) MAINTENANCE OF
	) PLAINTIFF FOR
vs.	) CUSTODY, SUPPORT,
	) MAINTENANCE AND
	) EDUCATION OF
	) CHILDREN AND DE-
ALFRED A. YEE,	) TERMINING OTHER
	) MATTERS AT ISSUE,
	) FILED APRIL 4, 1975;
	) ETC.
	)
Defendant-Appellee.	) FIRST CIRCUIT COURT
	) FAMILY COURT
	)
	HONORABLE BETTY M. VITOUSEK, JUDGE

DECISION AND ORDER

Appellant's Motion for Special Summary Judgment and Custody; or in the Alternative, Motion for Custody and Reconsideration of Temporary Alimony Payments and Child Support, and Re-Motion for Summary Judgment for Plaintiff-Appellant and Custody; Motion to Strike Defendants-Appellees' Motion of September 29, 1975, and appellees' Motion for Order Denying Appellant's Motion for Summary Judgment and Reconsideration of Temporary Alimony and Child Support Payments; Motion to Dismiss, came on for hearing on Tuesday, October 21, 1975. The Court, having heard argument of appellant and apellees' counsel and considered the written submittals in support of and opposition to the motions, and having read appellant's opening brief and examined the record on file, finds that good cause exists to deny appellant's motions and to grant appellees' motions.

It is, accordingly, hereby ordered that appellant's Motion for Special Summary Judgment and Custody; or in the Alternative, Motion for Custody and Reconsideration of Temporary Alimony Payments and Child Support and Re-Motion for Summary Judgment for Plaintiff-Appellant and Custody; Motion to Strike Defendants-Appellees' Motion of September 29, 1975, are denied, and appellees' Motion for Order Denying Appellant's Motion for Summary Judgment and Reconsideration of Temporary Alimony and Child Support Payments is granted. Appellees' additional Motion to Dismiss appellant's appeal is granted on the ground that appellant's appeal is premature.

The Court directs appellant's attention to the Eighth Supplemental Decision and Order rendered by Judge Betty Vitousek (filed April 28, 1975), wherein the Judge states, to-wit:

> "That each party shall have thirty days from the date of approval by this court of the trust instrument to be submitted by Defendant pursuant to paragraph 1(A) (4) (a) of the Sixth Supplemental Decision and Order filed herein preme Court of Hawaii."

The Court further directs appellant's attention, and requires of appellant to follow Rule 3 of this Court in appellant's preparation of her new opening brief, if any.

DATED: Honolulu, Hawaii, November 3, 1975.

/s/ William S. Richardson
/s/ Bert T. Kobayashi
/s/ Thomas S. Ogata
/s/ Benjamin Menor
/s/ Robert Won Bal Chang

NO. 5930

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE YEE,	) FC-D NO. 81258
	)
	) APPEAL FROM THE
	) SIXTH SUPPLEMENTAL
	) DECISION AND ORDER
Plaintiff-Appellant,	) PROVIDING FOR DIVI-
	) SION AND MANAGE-
	) MENT OF PROPERTY;
	) FOR SUPPORT AND
	) MAINTENANCE OF
vs.	) PLAINTIFF FOR
	) CUSTODY, SUPPORT,
	) MAINTENANCE OF
ALFRED A. YEE,	) PLAINTIFF FOR CUS-
	) TODY, SUPPORT,
	) MAINTENANCE AND
	) EDUCATION OF
	) CHILDREN AND DE-
Defendant-Appellee.	) TERMINING OTHER
	) MATTERS AT ISSUE,
	) FILED APRIL 4, 1975;
	) ETC.
_____	)
	FIRST CIRCUIT COURT, FAMILY COURT
	HONORABLE BETTY M. VITOUSEK, JUDGE

ORDER

FILED
1975 NOV 17 PM 2:56
Clement J. H. Chun
CLERK SUPREME COURT

APPENDIX "B(1)"

NO. 5930

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE YEE,	) FC-D NO. 81258
	)
	) APPEAL FROM THE
	) SIXTH SUPPLEMENTAL
	) DECISION AND ORDER
Plaintiff-Appellant,	) PROVIDING FOR DIVI-
	) SION AND MANAGE-
	) MENT OF PROPERTY;
	) FOR SUPPORT AND
	) MAINTENANCE OF
vs.	) PLAINTIFF FOR CUS-
	) TODY, SUPPORT,
	) MAINTENANCE OF
	) PLAINTIFF FOR CUS-
ALFRED A. YEE,	) TODY, SUPPORT,
	) MAINTENANCE AND
	) EDUCATION OF
	) CHILDREN AND DE-
	) TERMINING OTHER
Defendant-Appellee.	) MATTERS AT ISSUE,
	) FILED APRIL 4, 1975;
	) ETC.
_____	)
	FIRST CIRCUIT COURT FAMILY COURT
	HONORABLE BETTY M. VITOUSEK, JUDGE

ORDER

Appellant's motion to amend opening brief for excusable error or neglect, filed October 20, 1975, is denied, the Court having dismissed the herein appeal by order filed November 3, 1975.

DATED: Honolulu, Hawaii, November 17, 1975.

SEAL

FOR THE COURT:
/s/ William R. Richardson
Chief Justice

NO 5930

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE YEE,

Plaintiff-Appellant,

vs.

ALFRED A. YEE,

Defendant-Appellee.

PETITION FOR REHEARING

ORDER

FILED

1975 NOV 17 PM 2:57

S. Clement J.H. Chun
CLERK SUPREME COURT

APPENDIX "B(1)"

NO. 5930

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE YEE,

Plaintiff-Appellant,

vs.

ALFRED A. YEE,

Defendant-Appellee.

PETITION FOR REHEARING

ORDER

The petition for rehearing filed on November 5, 1975, is denied without argument.

DATED: Honolulu, Hawaii, November 17, 1975.

FOR THE COURT:

/s/ William R. Richardson
Chief Justice

SEAL

Of Counsel:
HOGAN, ROTHER & GRIMES

ROBERT G. HOGAN 233-0
320 Dillingham Building
Honolulu, Hawaii 96813
Telephone No. 531-6851

Attorney for Plaintiff

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1973 MAR 1 AM 9:24
s R.S. YAMADA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

FAMILY COURT

STATE OF HAWAII

JANICE YEE, Plaintiff, vs. ALFRED A. YEE, Defendant,	FC-D No. 81258 DECREE GRANTING ABSOLUTE DIVORCE AND AWARDING CHILD CUSTOCY

DECREE GRANTING ABSOLUTE DIVORCE AND AWARDING CHILD CUSTODY

The above-entitled action came on for hearing on February 12, 1973 before the Family Court.

Following the hearing and after full consideration of all of the evidence, the Court found the material allegations of the complaint for divorce to be true, the Plaintiff to be entitled to a divorce from the bonds of matrimony on the grounds specified in the written findings on file herein, and the Court to have jurisdiction to enter this decree. Now therefore,

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

/s/ R.S. Yamada
Clerk, Circuit Court, First Circuit
State of Hawaii

APPENDIX "B(2)"

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. A decree of absolute divorce is hereby granted to Plaintiff, the bonds of matrimony between Plaintiff and Defendant are hereby dissolved and the parties hereto are restored to the status of single persons, and either party is permitted to marry from and after the effective date of this decree.

2. *CHILD CUSTODY:* Plaintiff is awarded the temporary care, custody and control of the minor children of the parties pending the submission to and evaluation by this Court of a report to be submitted by JARRET H.C. KO, M.D.; that pending the receipt of said report, defendant shall have rights of reasonable visitation and the Plaintiff shall keep the Defendant informed of the residence address of the minor children of the parties;

3. *MINOR CHILDREN OF THE PARTIES:* The names and birth dates of the minor children of the parties are as follows:

Names	*Birth Dates*
ERIC KWAN SAI YEE	September 20, 1956
MALCOLM KWAN ON YEE	June 14, 1958
IAN KWAN PUNG YEE	August 23, 1962

4. *FAMILY PREMISES—3169 ALIKA AVENUE, HONOLULU, HAWAII:* Pending the entry of an order supplementing this decree, the Plaintiff shall have the sole and exclusive use of the family home at 3169 Alika Avenue, Honolulu, Hawaii, as a residence for herself and the children of the parties;

5. *MAINTENANCE OF FAMILY HOME:* Defendant shall pay all expenses relating to the upkeep of the family premises including the mortgage obligation, real property taxes, insurance charges, utility charges, charges for yard service, household help and the like at a level which will be equivalent to the level which existed prior to the date of the hearing;

6. *SCHOOL EXPENSES FOR CHILDREN:* Pending the further order of this Court, Defendant shall pay all school expenses of the minor children of the parties and also the expenses of the two older children of the parties who are now in college, i.e., ALETHEA LAI LAN YEE, born on November 15, 1953, and MARK KWAN KIN YEE, born on October 24, 1954, including the tuition, room and board and transportation costs, which expenditures shall be maintained at a level equivalent to that which existed prior to the date of the hearing;

7. *MEDICAL AND DENTAL COVERAGE FOR MINOR CHILDREN:* Defendant shall be solely responsible for and shall pay all charges incurred as they relate to the reasonable medical and dental needs of all of the children of the parties and in furtherance thereof shall maintain HMSA or similar coverage and such dental insurance as may have been provided prior to the date of the hearing;

8. *MEDICAL COVERAGE FOR PLAINTIFF:* Plaintiff shall be responsible for the obtaining of HMSA or similar coverage for herself and shall be responsible for all of her own medical and dental expenses; provided however, that the expense to be incurred relating to the consultations with DR. JARRETT H. C. KO will be borne by Defendant; that the parties having voluntarily agreed to submitting themselves to counseling with said doctor, each shall promptly arrange to meet with Dr. JARRETT H.C. Ko for the purpose of consultation and conferences and will continue to do so until such time as the report prepared by said doctor is submitted to this Court or until the further order of this Court;

9. *PAYMENTS BY DEFENDANT TO PLAINTIFF:* Until the further order of this Court, Defendant shall pay directly to Plaintiff the sum of $1,000.00 per month on the first day of each and every month beginning as of February 1, 1973; that if Defendant has made payments in the month of February, 1973 which are not attributable to support for prior months, he shall be credited therefor; that this sum is provided for the purpose of providing money (a) to facilitate the purchase by Plaintiff of food for herself and the minor children who are regularly residing in the family home and (b) to meet transportation, clothing, recreational and other miscellaneous expenses for Plaintiff and said minor children, provided, however, that Plaintiff may continue to shop for food and other household items at Chun Hoon Super Market and the charges incurred thereat shall be borne by Defendant;

10. *INSURANCE:* Defendant shall maintain in effect all insurance policies which he had on his life at the time of the hearing and he shall not effect any changes whatsoever in respect to the named beneficiaries thereof, to the end that Plaintiff and the children of the parties shall be adequately protected;

11. *RESERVATION OF ALL OTHER ISSUES:* All other issues involved including the disposition of property, alimony, child support payments, attorney's fees, insurance coverage and the like are hereby specifically reserved for consideration and disposition at a later time by and in an order to be entered supplementing this decree;

12. *EFFECTIVE DATE OF DECREE:* This decree shall take effect upon the signing and filing hereof.

Dated, Honolulu, Hawaii, Mar. 1, 1973.

/s/ Betty M. Vitousek
JUDGE OF THE ABOVE-ENTITLED COURT

SEAL

APPROVED AS TO FORM:

/s/ Edward Y.C. Chun
EDWARD Y.C. CHUN
Attorney for Defendant

APPENDIX "B(2)"

OFFICE OF THE CLERK
SUPREME COURT, STATE OF HAWAII
HONOLULU

NOTICE OF ENTERING CASE ON CALENDAR

Take notice that I have this day placed on the calendar of the Supreme Court the case of JANICE YEE, Plaintiff-Appellant, v. ALFRED A. YEE, Defendant-Appellee. (FC-D NO. 81258—First Circuit Court) (Opening Brief due on or before March 29, 1976.)

Honolulu, Hawaii, January 29, 1976

/s/ Darrell N. Phillips
Clerk of Supreme Court.

No. 6102

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

APPENDIX "B(3)(a)"

OFFICE OF THE CLERK
SUPREME COURT, STATE OF HAWAII
HONOLULU

NOTICE OF ENTERING CASE ON CALENDAR

Take notice that I have this day placed on the calendar of the Supreme Court the case of JANICE YEE, Plaintiff-Appellant v. ALFRED A. YEE, Defendant-Appellee. (Divorce No. 81258—Family Court, First Circuit) (Opening Brief due on or before August 26, 1975.)

Honolulu, Hawaii, June 27, 1975.

/s/ Clement S.H. Chun
Clerk of Supreme Court.

No. 5930

APPENDIX "B(3)(+)"

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE YEE,	)	FC-D NO. 81258
Plaintiff-Appellant,	)	APPEAL FROM THE
	)	DECREE GRANTING
	)	ABSOLUTE DIVORCE
vs.	)	AND AWARDING CHILD
	)	CUSTODY, FILED
	(	MARCH 1, 1973
ALFRED A. YEE,	)	
	)	FIRST CIRCUIT COURT
Defendant-Appellee.	)	
	)	HONORABLE BETTY M.
	)	VITOUSEK
	)	Judge

RECORD ON APPEAL

FILED
1976 JAN 29 PM 1:43
Darrell N. Phillips
CLERK SUPREME COURT

JANICE CHING YEE, *Pro Se*
3169 Alika Avenue
Honolulu, Hawaii 96817

Plaintiff-Appellant

CHUNN, KERR & DODD
EDWARD Y.C. CHUN
Suite 1408, 700 Bishop Street
Honolulu, Hawaii 96813

Attorney for Defendant-Appellee

APPENDIX "B(3)(a)"

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TO RECORD ON APPEAL:

FC-D NO. 81258

The original record in FC-D NO. 81258, Cirtuit Court, First Circuit, State of Hawaii, as herein entitled, contains all of the original documents entered of record in said matter.

DESIGNATION OF CONTENTS OF RECORD ON APPEAL — **VOLUME I PAGE NO.**

1. Complaint for Divorce; Summons; Order to Show Cause for Relief Pendente Lite (And Temporary Restraining Order); Motion and Supporting Affidavit, filed September 14, 1972;	1-3
2. Information Concerning Conciliation and Child Care, filed September 14, 1972;	4
3. Return of Service, filed September 21, 1972;	5
4. Answer, filed October 5, 1972;	6-7
5. Motion to Set; Notice of Motion, filed November 17, 1972;	8-9

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6. Financial Statement, Estimated Monthly Expenses and Statement of Position, filed December 8, 1972;	10–25
7. Order for Social Study, filed December 14, 1972;	26
8. Plaintiff's Exhibit 1—Letter from Robert G. Hogan to Edward Y.C. Chun, dated February 1, 1973, filed February 12, 1973;	27–29
9. Court's Exhibit 1—Letter of Recommendation re Social Study, dated February 2, 1973, filed February 12, 1973;	30
10. Decree Granting Absolute Divorce and Awarding Child Custody, filed March 1, 1973;	31–35
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13. Letter from Janice Ching Yee to Judge Vitousek, filed April 12, 1973;	115–120
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15. Order for Supplemental Social Study, filed July 10, 1973;	143–144
16. Supplemental Decision and Order, filed July 30, 1973;	145–147
17. Letter from Edward Y.C. Chun to Honorable Betty M. Vitousek, dated September 10, 1973, filed September 10, 1973;	148–165
18. List of Exhibits, filed September 27, 1973;	166–232
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20. Order Appointing Guardian Ad Litem, filed November 2, 1973;	236–237
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22. Appearance of Counsel, filed March 8, 1974;	239
23. Second Supplemental Order Re Temporary Support Payments, filed May 10, 1974;	240–243
24. Further Supplemental Decision and Order, filed June 10, 1974;	244–246
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26. Plaintiff's Exhibit 1—Document, dated September 6, 1974, filed September 6, 1974;	248a–248d
27. Affidavit of Alfred A. Yee, filed September 13, 1974;	249–250
28. Fourth Supplemental Decision and Order, filed September 17, 1974;	251–254
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30. Fifth Supplemental Decision and Order, Filed October 24, 1974;	259–261
31. Report of Guardian Ad Litem, filed January 15, 1975;	262–268

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33. Order Discharging Guardian Ad Litem, filed February 12, 1975;	283
34. Letter from Robert A. Franklin to Honorable Betty M. Vitousek, dated and filed March 6, 1975;	284
35. Letter from Robert A. Franklin to Honorable Betty M. Vitousek, dated and filed March 24, 1975;	285-295
36. Motion for Summary Judgment; Memorandum of Law; Affidavit for Plaintiff; Notice of Motion, filed April 1, 1975;	296-299
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38. Sixth Supplemental Decision and Order Providing for Division and Management of Property; for Support and Maintenance of Plaintiff; For Custody, Support, Maintenance and Education of Children; and Determining Other Matters at Issue, filed April 4, 1975;	301-311
39. Previous Motion for Summary Judgment; Additional Memorandum; Affidavit of Plaintiff, filed April 4, 1975;	312-317
40. Supplementary Statement to Sixth Supplemental Decision and Order, filed April 11, 1975;	318-334
41. Seventh Supplemental Decision and Order, filed April 11, 1975;	335-337
42. Motion for Retrial and for Amended Complaint; Memorandums; Motion for Summary Judgement; or in the Alternative, Motion for Reconsideration of Judge's Decision and also Exhibits; Affidavit of Plaintiff, filed April 11, 1975;	338-420
43. Memorandum to Motion for Summary Judgment, Notice of Motion, filed April 16, 1975;	421-422
44. Letter from Robert A. Franklin to Mrs. Janice Ching Yee, dated April 14, 1975, filed April 17, 1975;	423-425
45. Memorandum and Addition in Support of Motion to Reconsider Judge's Sixth and Seventh Decisions, filed April 21, 1975;	426-429
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50. Copy of Complaint; Memorandum and Exhibits in Support of Complaints; Affidavit of Plaintiff; Summons, filed April 23, 1975;	434-444
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52. Motion to Amend Sixth Supplemental Decision and Order; For Approval of Form of Trust and Appointment of Trustee; and for Confirmation of Successor Trustee; Exhibit A; and Notice of Motion, filed April 29, 1975;	448-471
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64. List of Exhibits, filed June 2, 1975;	494-507
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86. Notice of Appeal; Designation of Record of Appeal, filed December 15, 1975;	568-570

MINUTES:

Yellow pages attached to the rear portion of the Record on Appeal are the original minutes entered by the Clerks of Court, First Circuit Court.

TRANSCRIPTS:

Transcript No. 2250—(10 Volumes)

EXHIBITS:

IN EVIDENCE

Plaintiff's List filed September 27, 1973

"1" Eight-page untitled document prepared and signed by Mrs. Janice Ching Yee

"2" Document dated July 21, 1973 prepared and signed by Mrs. Janice Ching Yee (APP. "E(1)")

"3" Two-page document, the first page dated August 1, 1973, prepared and signed by Janice Ching Yee, and the second, a Christmas card which includes a statement describing each of the children

Defendant's

"A" Document entitled "Exhibit "A"

"B" Xerox copy of U.S. Individual Income Tax Return for 1972 of Alfred A. and Janice C. Yee

"C" Xerox copy of Proposed settlement between Alfred A. Yee and Janice C. Yee, consisting of a folio of documents

IN EVIDENCE

Plaintiff's List filed September 27, 1973

"1" Xerox copy of two-page document prepared and signed by Mrs. Yee

Defendant's

"A" Report from Dr. Elizabeth M. Adams to Judge Vitousek dated July 17, 1973
(CONFIDENTIAL FILE)

IN EVIDENCE

Plaintiff's List filed July 8, 1974

"1" Folio of documents with handwritten cover sheet headed Reimburseables, consisting of 14 sheets

"2" Folio of documents with cover sheet entitled Unpaid Bills with 13 statements attached

"3" Copy of Plaintiff's 1973 Federal and State income tax returns

"4" Statement submitted by plaintiff by herself dated September 12, 1973

"5" Statement with 5 attached sheets, signed by Mrs. Janice Ching Yee, dated April 17, 1974

Defendant's

"A" Document Prepared by Mr. C. Byer headed Alfred A. Yee Statement of Assets and Liabilities June 30, 1973, revised as of (corrected date) April 1974

"B" Statement from Harris, Kerr, Forster & Company, dated April 12, 1974

IN EVIDENCE

Plaintiff's List filed June 2, 1975

"1" Pleading prepared by Janice Ching Yee, dated October 18, 1974 with exhibits attached

Defendant's

"A" Report on letterhead of Harris, Kerr, Forster & Company, dated October 14, 1974 addressed to Mr. Alfred Yee
(CONFIDENTIAL FILE)

"B" Copy of two-page letter, dated September 27, 1974 directed to the employees of Alfred A. Yee & Associates
(CONFIDENTIAL FILE)

IN EVIDENCE

Plaintiff's List filed June 3, 1975

"1" Pleading Prepared and signed by Janice Ching Yee dated November 18, 1974 with attached exhibits A to H

"2" Financial Statements of Alfred A. Yee and Associates Inc. and Consolidated Subsidiary June 30, 1974 from Harris, Kerr, Forster & Company, dated 8/23/74

"3" Alfred A. Yee & Associates, Inc. Balance Sheet and Income Statements as of December 31, 1974

"A" Letter dated October 17, 1974 addressed to Mr. Alfred A. Yee re Tumon View Apartment, Phase I, Academy Gardens Apartments, AAY Partnership A Warehouses and Harmon Field Warehouse Joint Venture signed by Don R. Cowell and William J. Dornbush

Defendant's

"B" Appraisal Report Covering Tumon View Apartments, Phase I Tumon, Dededo, Guam, dated June 1973 by Don R. Cowell & Associates

"C" Appraisal Report Covering Academy Gardens Apartments, Phases I and II, Mangilao, Barrigada, Guam, dated June 1973 by Don R. Cowell & Associates

"D" Appraisal Report Covering Harmon Field Warehouse Joint Venture Property, Harmon Industrial Park, Dededo, Guam, dated January 1974 by Don R. Cowell & Associates

"E" Appraisal Report of Industrial Properties Lot 5166-1-2 and Lot 5166-3-1, Harmon Field, Dededo, Guam, dated May 1973 by Don R. Cowell & Associates

FC-D NO. 81258

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,

Plaintiff,

vs.

ALFRED A. YEE,

Defendant.

CIRCUIT COURT CLERK'S CERTIFICATE

I, LEATRICE TAKUSHI, Clerk of the Circuit Court of the First Circuit, State of Hawaii, do hereby certify that all documents and items, as listed in the foregoing index to the Record on Appeal, are originals thereof as filed and entered of record in the above-captioned proceeding; and that they are attached hereto and made a part thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of this court this 29th day of January 1976.

/s/ Leatrice Takushi
LEATRICE TAKUSHI, Clerk
Circuit Court, First Circuit
State of Hawaii

SEAL

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE YEE,

Plaintiff-Appellant,

vs.

ALFRED A. Yee,

Defendant-Appellee.

FC-D NO. 81258

APPEAL FROM THE DECREE GRANTING ABSOLUTE DIVORCE AND AWARDING CHILD CUSTODY, FILED MARCH 1, 1973

FIRST CIRCUIT COURT

HONORABLE BETTY M. VITOUSEK
Judge

FILED
1976 FEB 13 PM 2 18
/s/ Clement J.H. Chun
CLERK SUPREME COURT

SUPPLEMENTAL RECORD ON APPEAL

JANICE CHING YEE, *Pro Se*
3169 Alika Avenue
Honolulu, Hawaii 96817

Plaintiff-Appellant

CHUN, KERR & DODD
EDWARD Y.C. CHUN
Suite 1408, 700 Bishop Street
Honolulu, Hawaii 96813

Attorney for Defendant-Appellee

APPENDIX "B(3)(b)"

INDEX

(To Record on Appeal

JANICE YEE,
Plaintiff-Appellant,

versus

ALFRED A. YEE,
Defendant-Appellee.)

Flyleaf to Record on Appeal

Index to Record on Appeal

Circuit Court Clerk's Certificate

DESIGNATION OF CONTENT OF SUPPLEMENTAL RECORD ON APPEAL — **PAGE NO.**

1. Eleventh Supplemental Decision and Order, filed February 2, 1976; — 583-611

2. Amended Designation of Record on Appeal, filed February 10, 1976; — 612

FC-D NO. 81258

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,

Plaintiff,

vs.

ALFRED A. YEE,

Defendant.

CIRCUIT COURT CLERK'S CERTIFICATE

I, GUNJI IZUMOTO, Clerk of the Circuit Court of the First Circuit, State of Hawaii, do hereby certify that there has been docketed with the Supreme Court of the State of Hawaii a record on appeal of the above-captioned proceeding from the Circuit Court of the First Circuit, being Supreme Court No. 6102; that the attached documents of proceedings, to wit, (1) Eleventh Supplemental Decision and Order and (2) Amended Designation of Record on Appeal are submitted herewith as a supplement to the said record on appeal; and that the said record on appeal and the foregoing two documents referred to hereinabove constitute the complete record on appeal which now rests with the Supreme Court of the State of Hawaii and assigned the Supreme Court No. 6102.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of this Court this 13th day of February 1976.

/s/ Gunji Izumoto
GUNJI IZUMOTO
Circuit Court, First Circuit
State of Hawaii

SEAL

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE YEE,	)	FC-D NO. 81258
	)	
Plaintiff-Appellant,	)	APPEAL FROM THE
	)	DECREE GRANTING
	)	ABSOLUTE DIVORCE
vs.	)	AND AWARDING
	)	CHILD CUSTODY,
	)	FILED MARCH 1, 1973
ALFRED A. YEE,	)	
	)	FIRST CIRCUIT COURT
Defendant-Appellee.	)	
	)	HONORABLE BETTY
	)	M. VITOUSEK
_____	)	Judge

FILED
1976 FEB 25 PM 1 58
/s/ Clement J. H. Chun
CLERK SUPREME COURT

SECOND SUPPLEMENTAL RECORD ON APPEAL

JANICE CHING YEE, *Pro Se*
3169 Alika Avenue
Honolulu, Hawaii 96817

Plaintiff-Appellant

CHUN, KERR & DODD
EDWARD Y.C. CHUN
Suite 1408, 700 Bishop Street
Honolulu, Hawaii 96813

Attorney for Defendant-Appellee

APPENDIX "B(3)(c)"

INDEX

(To Record on Appeal

JANICE YEE,
Plaintiff-Appellant,

versus

ALFRED A. YEE,
Defendant-Appellee,)

Flyleaf to Record on Appeal	1
Index to Record on Appeal	2
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DESIGNATION OF CONTENT OF SECOND SUPPLEMENTAL RECORD ON APPEAL **PAGE NO.**

1. Designation of Amendment of Appeal; Designation of Record for this Appeal; Affidavit of Plaintiff Certificate of Service, filed February 23, 1975; 616-620

2. Motion to Strike; Motion for Summary Judgment or Judgment on the Pleadings; Both Motions "Nunc Pro Tunc", February 2, 1976 Pleading Memorandum, Arguments, and Exhibit, Affidavit of Plaintiff, filed February 23, 1975; 621-639

3. Certificate of Service, filed February 23, 1975; 640

4. Affidavit of Henry L. W. Seto, filed February 24, 1975; 641-642

FC-D NO. 81258

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,

Plaintiff-Appellant,

vs.

ALFRED A. YEE,

Defendant-Appellee.

CIRCUIT COURT CLERK'S CERTIFICATE

I, GUNJI IZUMOTO, Clerk of the Circuit Court of the First Circuit, State of Hawaii, do hereby certify that there has been docketed with the Supreme Court of the State of Hawaii a record on appeal of the above-captioned proceeding from the Circuit Court of the First Circuit, being Supreme Court No. 6102; that the attached documents of proceedings, are submitted herewith as a further supplement to the said record on appeal; and that the said record on appeal and the foregoing documents constitute the complete record on appeal which now rests with the Supreme Court of the State of Hawaii and assigned the Supreme Court No. 6102.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of this Court this 24th day of February, 1976.

/s/ Gunji Izumoto
GUNJI IZUMOTO, Clerk
Circuit Court, First Circuit
State of Hawaii

SEAL

APPENDIX "B(3)(d)"

From Opening Brief, HSC 6102 to conform to the evidence. The following was extracted, with a few additions for clearness so the numbers don't run concurrent but can once HSC adds this part in.

112. August 26, 1975—OPENING BRIEF for S.C. No. 5930, whereby anything pertaining to S.C. NO. 5930 should all be included in the Record on Appeal. Can Hawaii's Supreme Court Justices please Order this, for I can not seem to convince the clerks of this.
113. September 22, 1975—Motion for Special Summary Judgement and Custody; Or In the Alternative, Motion for Custody and Reconsideration of Temporary Alimony Payments and Child Support.
114. September 24, 1975—Letter to the Justices, requesting them to Order a Fast Complete Settlement for Plaintiff Appellant Pro Se.
115. September 29, 1975—Defendants-Appellees' Motion for Order Denying Appellant's Motion for Summary Judgement and Reconsideration of Temporary Alimony & Child Support Payments; Motion to Dismiss; Memorandum of Points and Authorities in Support of Motion for Order Denying Appellant's Motion for Summary Judgement and Reconsideration of Temporary Alimony and Child Support Payments and Motion to Dismiss.
116. October 1, 1975—Re-Motion for Summary Judgement for Plaintiff-Appellant Pro Se and Custody; Motion to Strike Defendants-Appellees' Motion of September 29, 1975.
117. October 1, 1975—Exhibit "AAY" or Re-Motion for Summary Judgement for Plaintiff-Appellant Pro Se and Custody.
118. October 1, 1975—Certificate of Recusal from Justice Kidwell for case S.C. NO. 5930.
119. October 2, 1975—Request for Transcript of Proceedings for Record on Appeal, filed Oct. 2, 1975. ("tCR", p. 546) Reiteration.
120. October 2, 1975—Request for Transcript, filed Oct. 2, 1975. ("tCR", page 547) Reiteration.
121. October 2, 1975—Request for Transcript, filed Oct. 2, 1975. ("tCR", page 548) Reiteration.

122. October 2, 1975—Request for Transcript, filed Oct. 2, 1975. ("tCR", page 549) Reiteration.
123. October 2, 1975—Notice of Hearing for S.C. No. 5930.
124. October 3, 1975—Letter to Office of Supreme Court, acknowledging receipt of Notice of Hearing.
125. October 4, 1975—Letter to Office of Supreme Court requesting a copy of Transcript of Hearing dated Sept. 2, 1975 at 10:30 for case S.C. NO. 5903; or "future" Transcript of case No. 5930 at the 9:30 Hearing of October 21, 1975; or for a court Reporter.
126. October 10, 1975—Letter to Supreme Court Justices, requesting protection for Plaintiff-Appellant Pro Se by any one of Appellant's sons, for it was 153 weekends alone then (not 53).
127. October 15, 1975—Request for Transcript, filed. ("tCR", page 550) Reiteration.
128. October 17, 1975—Assignment of Associate Justice Chang.
129. October 20, 1975—Motion to Amend Opening Brief for Excusable Error or Neglect was filed.
130. October 20, 1975—Denial of Request for Transcript for S.C. 5903 and S.C. 5930.
131. October 20, 1975—Request for Transcript again.
132. October 21, 1975—Hearing for S.C. NO. 5930, at 9:30.
133. October 22, 1975—Amended Request for Transcript of Proceedings for Record on Appeal, ("tCR", p. 551) Reiteration.
134. November 3, 1975—Letter to Justices, requesting fast Monetary Relief.
135. November 3, 1975—Decision and Order for Dismissal for "Appellant's Appeal is Granted on the Grounds that Appellant's Appeal is Premature."
136. November 4, 1975—Receipt for Exhibits, Etc., Returned to First Circuit, Family Court. ("tCR", p. 552-561) Reiteration.
137. November 4, 1975—Decision and Order, filed in Supreme Court November 3, 1975, received November 4, 1975. ("tCR", page 562-564) Reiteration.
138. November 5, 1975—Petition for Rehearing; Certificate of Plaintiff-Appellant Pro Se. Filed.
139. November 11, 1975—Motion to Transfer Transcripts requested for S.C. No. 5930 to S.C. No. 6008. Filed.
140. November 12, 1975—Motion to Transfer Transcripts requested for S.C. NO. 5930 to S.C. NO. 6008. Filed.
141. November 17, 1975—Order Denying Amendment of Opening Brief for Excusable Error or Neglect, filed October 20, 1975. It was well, for the wrong Rule was inadvertantly called on, but couldn't the Justices use their prerogative to help any Pro Se, according to *HAWAII'S REVISED STATUTES, Chapter 641-4 or 641-24?*
142. November 17, 1975—Order Denying Petition of Nov. 5, 1975.
143. November 24, 1975—the Clerks refused to file the "Motion for Review and Reconsideration of Order of November 17, 1975."
144. November 27, 1975—Letter to the Justices against the Supreme Court's Clerk's Violation of Legal Rights for Plaintiff-Appellant Pro Se against the Clerk's Conflict for Coercion for Non-Assertion of Legal Rights for Plaintiff-Appellant Pro Se for any Motion to be filed, specifically here, the Motion for Review and Reconsideration of Order of November 17, 1975, whereby the Justices could have Ordered the Clerks to file the Motion. Will the Court excuse Appellant's persistance, for I know I am right about this.
145. December 3, 1975—Tenth Supplemental Decision and Order, filed. ("tCR", page 565-567) Reiteration.
146. December 15, 1975—Notice of Appeal; Designation of Record of Appeal, filed, ("tCR", page 568-570) (Reiteration) against the Unequitable Terms of the Final Absolute Divorce Decree for Complete Settlement and Permanent Custody of the Children.
147. December 15, 1975—the clerks refused to file a "Bill of Exception" of this date.
148. December 15, 1975—Letter to the Justices against the clerk's Violation of Legal Rights for Plaintiff-Appellant Pro Se for the "Bill of Exception" to be filed and/or for the Justices to Order the "Bill of Exception" to be filed. This was more Coercion for non-Assertion of Legal Rights for Plaintiff-Appellant Pro Se.
149. December 19, 1975—Motion to Reserve Plaintiff-Appellant Pro Se's Rights for excusable error of the wrong Gross Income Statement for 1974. The clerks refused to file this Motion for Appellant against their Conflict of Obstruction of Justice for Plaintiff-Appellant Pro Se.
150. December 22, 1975—Motion for Judgement on the Pleadings for Plaintiff-Appellant Pro Se, was refused by the clerks for filing, although the Defendants-Appellees were

in Default, according to *Rule 6(b) of HAWAII'S SUPREME COURT RULES.* This should have been filed and considered for a fast determination of all cases, including this case for Complete Settlement for Plaintiff-Appellant.

151. December 23, 1975—letter to Justices against the clerks' Violation of Legal Rights for Plaintiff-Appellant Pro Se and/or for the Justices to Order Motion to be filed.
152. December 27, 1975—letter to the Justices asking to excuse Inadvertant Neglect of not specifying Rule 73(a) for the December 15, 1975 "Bill of Exception", which never was filed.
153. December 29, 1975—letter to the Justices, again, requesting copies of transcripts according to *HAWAII'S REVISED STATUTES, Chapter 622-19,* for copies for S.C. 5903, S.C. 5930, and S.C. 5949 and for future transcripts.
154. January 9, 1976—letter of Request to the Justices to Order a Fast Determination of Cases and/or Order Filing of Motions presented December 19, 1975 for Filing, but refused by the clerks.
155. January 26, 1976—Motion to Grant an Injunction During Pendancy of Appeal; Memorandums, Arguments and Exhibits in Support of Motion; Affidavit of Plaintiff-Appellant Pro Se. The Justices could have used their prerogative, initiative or compassion to consider this Motion and all pertinent Pleadings for Fast Determination, so Plaintiff-Appellant Pro Se need not suffer longer, according to *HAWAII'S REVISED STATUTES, Chapter 641-4 and/or 641-24.*
156. January 27, 1976—Denial of transcripts of proceedings as referred to in letter of January 26, 1976.
157. February 2, 1976—Eleventh Supplemental Decision and Order, filed. This Decision is IMPROPRIETY BY JUDGE VITOUSEK, WHOSE MALFEASANT CONFLICT IS FOR PREJUDICED JUDICIAL PERSECUTION AND/OR JUDICIAL FINANCIAL ENSLAVEMENT OF PLAINTIFF APPELLANT PRO SE AGAINST VITOUSEK'S PERJURY FOR CONSPIRACY FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR APPELLANT.
158. February 3, 1976—Motion for Summary Judgement and/or Judgement on the Pleadings; Memorandums, Arguments, and Exhibits in Support of Motion; Affidavit of Plaintiff-Appellant Pro Se; was presented bus it was denied filing by the clerks' Conflict for non-assertion of Legal Rights for Plaintiff Appellant Pro Se for Equal Protection by Law, per the First Amendment or the Twenty-Seventh (27th) Amendment of the United States Constitution.
159. February 3, 1976—letter to the Justices to Order the clerks to file the Feb. 3, 1976 "Motion".
160. February 4, 1976—received denial in a note by clerk Suzuki, and not knowing if any of the Justices had read the letter and "Motion" or not, it was resubmitted to the Court through the administration office clerks.
161. February 10, 1976—Amended Designation of Record on Appeal, filed. ("tCR", page 612)
162. February 10, 1976—Motion to Assign NO. 5930 to 6102 was denied filing by the clerks.
163. February 11, 1976—letter to Justices to Order filing of the February 10, 1976 "Motion" was left for the Justices, AND IT WAS ORDERED FILED!
164. February 13, 1976—Order Denying "Motion to Grant An Injunction During Pendancy of Appeal", filed on January 26, 1976.
165. February 17, 1976—the clerks said the "Motion" of February 3, 1976 was denied filing; and the "Motion" was returned.
166. February 17, 1976—"Objection to the Order of February 13, 1976, and/or Motion to Reconsider Motion to Grant an Injunction, etc.; Memorandum, Argument, and Exhibit in Support of Motion; Affidavit of Plaintiff-Appellant Pro Se", was denied filing by the clerks again in Violation of Legal Rights for Plaintiff-Appellant Pro Se against the clerks coercion of non-assertion of Legal Rights for Plaintiff-Appellant Pro Se.
167. February 20, 1976—"Motion for Temporary Monetary Relief; Memorandums, Arguments, and Exhibit in Support of Motion; Affidavit of Plaintiff-Appellant Pro Se", was "Received" by the clerks and not filed yet. This Motion also included a Request for the Justices to Order the clerks to file "Motions" "Nunc Pro Tunc" of presentation of February 17, 1976, for;
    1) the *"Consolidation" (S.C. NO.'s 5971, 5970, 5949, 5969, 6008, 5924, & 5943)*—"OBJECTION TO ORDERS OF FEBRUARY 13, 1976 DENYING RECONSIDERATION OF THE DEC. 5, 1975 MOTION TO CONSOLIDATE APPEALS, ETC., AND/OR OR-

DERS DENYING AMENDMENT OF EXHIBITS FOR RESTITUTION; MOTION TO ALTER ORDER OF FEBRUARY 13, 1976, etc.; MEMORANDUMS OF LAW AND ARGUMENTS, etc.; AFFIDAVIT OF PLAINTIFF APPELLANT PRO SE".

2) *S.C. 6102*—"OBJECTION TO ORDER OF FEBRUARY 13, 1976; AND/OR MOTION TO RECONSIDER MOTION TO GRANT AN INJUNCTION, ETC.; MEMORANDUMS, ARGUMENTS, AND EXHIBITS IN SUPPORT OF OBJECTION AND/OR MOTION; AFFIDAVIT OF PLAINTIFF APPELLANT PRO SE".
3) *S.C. 6008*—"OBJECTION TO ORDER OF FEBRUARY 13, 1976, DENYING MOTION TO AMEND OPENING BRIEF; MOTION FOR SUMMARY JUDGEMENT AND/OR JUDGEMENT ON THE PLEADINGS FOR APPELLANT PRO SE; MOTION FOR RECONSIDERATION OF MOTION TO AMEND OPENING BRIEF; MEMORANDUMS AND ARGUMENTS IN SUPPORT OF OBJECTION AND MOTION; AFFIDAVIT OF PLAINTIFF APPELLANT PRO SE".
4) *S.C. 5924*—OBJECTION TO ORDER OF FEBRUARY 13, 1976, DENYING MOTION FOR RELIEF, ETC., AND/OR MOTION TO AMEND OPENING BRIEF; AND/OR DENYING MOTION FOR SUMMARY JUDGEMENT AND/OR JUDGEMENT ON PLEADINGS; MOTION FOR RECONSIDERATION OF MOTION TO AMEND OPENING BRIEF; MEMORANDUMS AND ARGUMENTS IN SUPPORT OF OBJECTION AND MOTION; AFFIDAVIT OF PLAINTIFF APPELLANT PRO SE".

THESE MOTIONS ARE ALL IN THE HANDS OF THE JUSTICES OF THIS COURT AND NOT FILED YET. THESE ARE PROPER OBJECTIONS AND/OR MOTIONS, WHICH WERE DUE TO BE FILED FEBRUARY 18, 1976, SO PLAINTIFF-APPELLANT PRO SE DOES NOT LOSE THE APPEAL FOR PLAINTIFF APPELLANT PRO SE, WHOSE TRUE RECORD ON APPEAL SHOULD NOT BE DEVOID OF CREDITS OF PROPER MOTIONS FOR APPEAL, LEFT UNFILED, LEAVING A RECORD OF DEFAULT, WHICH IS *DEFENDANTS-APPELLEES' FAULT* NOT PLAINTIFF-APPELLANT PRO SE'S.

168. February 23, 1976—Notice of Amendment of Appeal; Designation of Record for This Appeal; Affidavit of Plaintiff; Certificate of Service, Filed. ("tCR", page 616–620)
169. February 23, 1976—"Motion to Strike; Motion for Summary Judgement or Judgement on the Pleadings; Both Motions "Nunc Pro Tunc", February 2, 1976 Pleading; Memorandums, Arguments, and Exhibit; Affidavit of Plaintiff," filed. ("tCR", p. 621–639)
170. February 23, 1976—Certificate of Service for Amended Designation, filed, Feb. 10, 1976. Filed. ("tCR", p. 640)

WILL HAWAII'S SUPREME COURT JUSTICES excuse an excusable inadvertant mistake of using the wrong *Rule 61,* which was not the right *Rule 60* for Excusable Inadvertant Error or Neglect; and according to *HAWAII'S RULES OF CIVIL PROCEDURE;* whereby THIS WAS MOTIONED on November 25, 1975 and refused filing by the clerks again in Violation of Legal Rights for Plaintiff-Appellant Pro Se for Assertion of Rights for same Appellant.

WILL THIS COURT also excuse the length of facts for the background of This Case S.C. NO. 6102. It should have been resolved in 1973 for a COMPLETE SETTLEMENT AS THE MOST EQUITABLE SETTLEMENT FOR BOTH PARTIES, AND PERMANENT CUSTODY OF THE CHILDREN TO PLAINTIFF-APPELLANT PRO SE, JANICE CHING YEE.

Also, any denial by Judge Betty Vitousek is Void against any pleadings for Plaintiff-Appellant Pro Se, according to: *People vs. Winters; 171 Cal. App. 2d 876,342 P.2d 538(App. Dept. Sup. Ct. 1959); CRIMINAL LAW by Donnelly, Goldstein, & Schwartz; page 966–970:*

> "The dismissals were void because the trial judge (Vitousek) acted in a matter where he openly declared his bias and prejudgement without disqualifying himself."

APPENDIX "B(3)(d)"

February 3, 1976

RE: SUPREME COURT CASE No. 6102

SUPREME COURT JUSTICES
SUPREME COURT OF HAWAII
HONOLULU, HAWAII

YOUR HONORS,

I cannot understand the hesitancy of the clerks to file any Motion, so the Supreme Court Justices can Judge on the Motion upon filing.

This "Motion for Summary Judgement and/or Judgement on the Pleadings" happens to be proper, so can the Justices Order it so, whereby it can be filed, according to *Chapter 641-4* of *HAWAII'S REVISED STATUTES*, whereby the Justices "shall have the power" to "review", "amend", or "modify" a decree as for "Final Absolute Divorce" terms and custody of the Children, and/or Complete Settlement as Summary Judgement and Custody of the Children, all to Plaintiff-Appellant Pro Se, for truer Records.

OR, according to HAWAII'S REVISED STATUTES, *Chapter 641-24* Errors on the Records can be corrected, and if these "errors committed, injuriously affected the substantial rights of Plaintiff-" Appellant Pro Se against delay as Obstruction of Justice for Plaintiff-Appellant Pro Se, "in error", the judgement can be "reversed or modified." "No writ of error shall be quashed for defect of form".

So, can the Supreme Court Justices Order This "Motion" to be filed, according to the discretion of the Justices.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

(EXHIBIT "A" for Feb. 23, 1976 "Motion" for FC-D#81258)

APPENDIX "B(4)"

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES Defendants-Appellees.	FC-D No. 81258 APPEAL AGAINST THE UNEQUITABLE TERMS OF THE FINAL ABSOLUTE DIVORCE DECREE FIRST CIRCUIT COURT FAMILY COURT Honorable Betty Vitousek Judge

MOTION FOR SUMMARY JUDGEMENT AND/OR JUDGEMENT ON THE PLEADINGS

Plaintiff-Appellant Pro Se hereby Motions for SUMMARY JUDGEMENT FOR PLAINTIFF-APPELLANT PRO SE for Custody of the Children; according to *Rule 56(a) of HAWAII'S RULES OF CIVIL PROCEDURE;* AND/OR JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF-APPELLANT PRO SE for Custody of the Children; according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE.* May *HAWAII'S REVISED STATUTES, Chapter 634-46* also apply for SUMMARY JUDGEMENT FOR PLAINTIFF-APPELLANT PRO SE.

May all of Plaintiff-Appellant's Pleadings also include all Pleadings for case S.C. No. 5930; Yee vs. Yee; to be part and parcel of Plaintiff-Appellant Pro Se's Pleadings; and may this be according to *HAWAII'S REVISED STATUTES, Chapter 606-6* and/or *Chapter 641-4* and *Chapter 641-24.*

The Jurisdiction of This Court to GRANT THIS MOTION AND APPEAL FOR FAST COMPLETE SETTLEMENT AS SUMMARY JUDGEMENT FOR $3 MILLION FOR PLAINTIFF APPELLANT PRO SE, resides on *HAWAII'S SUPREME COURT RULES, Rule 1(a)(1), HAWAII'S REVISED*

APPENDIX "B(4)"

STATUTES, Chapter 602-5, and Rule 73 of HAWAII'S RULES OF CIVIL PROCEDURE.

(only motion—for Feb. 23, 1973—cover and memorandums not included)

Both parties are from the State of Hawaii.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated, February 3, 1976

3169 Alika Avenue
Honolulu, Hawaii, 96817

(This is only the "motion" for Feb. 23, 1973; cover and "memorandums," etc. not included)

APPENDIX "B(4)"

FOR RESTITUTION
EXHIBIT "AFT"

DEFENDANTS-APPELLEES OWE	DAMAGES
Alfred Alphonse Yee &/or Alfred A. Yee & Assoc. owes for ACTUAL DAMAGES AND EXEMPLARY DAMAGES: +	+ 500,000.
from loss of insurance (EXH "AFT"-2)***	$ 400,000.
from loss of income (EXH. "AXE")	122,529.
Alfred Yee personally owes for PUNITIVE AND/OR EXEMPLARY DAMAGES**	500,000.
Alfred Yee personally owes for SPECIAL &/OR GENERAL &/OR EXEMPLARY DAMAGES: against Malfeasance, Malice Conflict, Malicious Malevolent Negligence, Conspiracy, Coerced Ignominy and Coerced Destitution for Coerced Destruction, Breach of Contract, Treachery, Swindle, Contributory Malicious Abuse of Judicial Process, Contributory "false arrest", or Restraint of Person, Violation of all Legal Rights for Plaintiff for equal protection by law, Libel, Slander, and Defamation Prejudiced Persecution, Obstruction of Justice, Duress, and/or Restraint of Trade, Perjury.	500,000.
Alfred Alphonse Yee &/or Alfred A. Yee & Associates Owes OTHER ACTUAL DAMAGES AND/OR COMPENSATORY DAMAGES AND/OR EXEMPLARY DAMAGES for declining eyesight, dry hair for lack of hair treatment, &/or for the mental,	477,471.
physical, and social degradation from frustration from degradation of financial, social, educational, &/or recreational experiences once accustomed to &/or deprived of and the deprivation of Legal Rights and income for Plaintiff for all of the experiences mentioned against Alfred Yee et al for Malice for Conspiracy for Harassment for Prejudiced	

Judicial Persecution by Malicious Abuse of Judicial Process for Coerced ignominy and Coerced Destitution for Coerced Destruction.

Alfred Alphonse Yee personally owes for
OTHER EXEMPLARY DAMAGES 500,000.
for Extreme Malice for Harassment for personal physical or mental injury of Plaintiff against this Prejudiced Persecution for Deprivation of income and Legal Rights for Plaintiff against this Violation of all Legal Rights for Plaintiff for equal income for equal hours of work for equal level of work for equal mental ability against Alfred Yee as instigator of the Conspiracy for Malicious Harassment by Delay as Obstruction of Justice.

THEREFORE DEFENDANTS-APPELLEES ALFRED ALPHONSE YEE &/OR ALFRED A. YEE & ASSOC. OWE PLAINTIFF-APPELLANT JCY $3,000,000.

**page 2-Exh. "AFT"
***page 2-Exh. "AFT"

EXHIBIT "AFT"

(*Reiterated* EXHIBIT for Feb. 23, 1976 "MOTION for FC-D#81258)

APPENDIX "B(4)"

EXHIBIT "AFT"

page 2

**PUNITIVE AND/OR EXEMPLARY DAMAGES $500,000.
against Alfred Yee's Malice for Conspiracy for Perjury for Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process for Coerced Ignominy and Coerced Destitution for Coerced Destruction of Plaintiff for Hawaii's Revised Statutes, Chapter 657-12 for a four (4) years limit for "ALL OTHER PERSONAL ACTION NOT COVERED BY HAWAII'S STATUTES" OR according to Chapter 657-20 of Hawaii's Revised Statutes for a six (6) years limit against "CONCEALMENT" of Malice by Alfred Yee et al for "involuntary servitude" as Conflict which gambled on non-assertion of any Legal Rights for Plaintiff-Appellant and all I hold dear, my five (5) legitimate children and custory of these five (5) children to real Mother Janice Ching Yee for Complete Settlement as Summary Judgement so Plaintiff-Appellant can prepare them for the future, in the manner we have been accustomed to living.

***SR 160955	Continental	$100,000.00
4995459	Hancock	10,000.00
5577822	"	10,000.00
6256742	"	20,000.00
6577636	"	50,000.00
7552499	"	200,000.00
6588684	"	10,000.00
		$400,000.00

ALTERNATIVE

ALFRED ALPHONSE YEE &/OR ALFRED YEE & ASSOCIATES OWE PLAINTIFF-APPELLANT PRO SE JANICE CHING YEE against DEFAULT BY ALFRED ALPHONSE

YEE et al, DEFENDANTS-APPELLEES, dated March 31, 1975. (EXHIBIT "CIV") $3,000,000.

ANOTHER ALTERNATIVE

ALFRED ALPHONSE YEE &/OR ALFRED A. YEE & ASSOCIATES OWE PLAINTIFF-APPELLANT PRO SE JANICE CHING YEE $3,000,000.

for: 20 years of marriage

× $50,000. per year for equitable settlement for Plaintiff and children

$1,000,000. for the 20 years (1953-1973) 40+ years more of living for Plaintiff × $50,000. per year for equitable settlement

2,000,000. for the next 40+ years potential future income for which the base was once set by the hard work of both parties.

$3,000,000.

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

3/1/76

The Court has directed the clerk to return the attached five documents to Mrs. Yee because they are not appropriate.

/s/EKS

FOR: Motion for Temporary Monetary Relief" for S.C. 6102 dated 2/20/76 to include for Order to File:

dated: 2/17/76 1) "Objection to Order of 2/13/76 Denying Motion for Relief &/or Motion to Amend Opening Brief and/or Denying Motion for Summary Judgement and/or Judgement on Pleadings; Motion for Reconsideration" for S.C. 5924

2/17/76 2) "Objection to Order of 2/13/76 etc.: Motion for Reconsideration" for S.C. 6008

2/17/76 3) "Objections to Orders of Feb. 13, 1976, etc.; Motion to Alter Order of Feb. 13, 1976 Retrial" for consideration

2/17/76 4) "Objection to Order of 2/13/76 and/or Reconsider Motion to Grant and Injuction, etc." for S.C. 6102

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1976 FEB 23 AM 9 32

S. H. SETO
CLERK

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	) FC-D No. 81258
vs.	) MOTION TO STRIKE; MOTION FOR SUMMARY JUDGE-
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	) MENT OR JUDGEMENT ON THE PLEADINGS; BOTH MOTIONS "NUNC PRO TUNC", FEBRUARY 2, 1976 PLEADING
	) MEMORANDUMS, ARGUMENTS, AND EXHIBIT AFFIDAVIT OF PLAINTIFF

MOTION TO STRIKE JUDGE VITOUSEK'S ELEVENTH SUPPLEMENTAL DECISION; MOTION FOR SUMMARY JUDGEMENT OR JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF; BOTH MOTIONS "NUNC PRO TUNC", AS OF FEB. 2, 1976 PLEADING TO HAWAII'S SUPREME COURT

Plaintiff Pro Se hereby Moves the Family Court to Strike Judge Vitousek's Eleventh Supplemental Decision and/or hereby Motions for Summary Judgement or Judgement on the Pleadings for Plaintiff Pro Se, whereby both Motions are "Nunc Pro Tunc" as of February 2, 1976 Pleading to Hawaii's Supreme Court. (EXHIBIT "A")

The Jurisdiction for these Motions reside on *HAWAII's FAMILY COURT RULES, Rule 91(a); HAWAII'S REVISED STATUTES, Chapter 605-2, AND/OR HAWAII'S RULES OF CIVIL PROCEDURE, Rule 12(c), and/or Rule 12(f).*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff Pro Se

Dated, February 23, 1976.

APPENDIX "B(6)"

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 5953426

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	) FC-D No. 81258
vs.	) MOTION TO STRIKE: MOTION FOR SUMMARY JUDGEMENT
ALFRED ALPHONSE YEE, AND/or ALFRED A. YEE & ASSOCIATES, Defendants.	) OR JUDGEMENT ON THE PLEADINGS; BOTH MOTIONS "NUNC PRO TUNC", FEBRUARY 2, 1976 PLEADING
	) MEMORANDUMS, ARGUMENTS, AND EXHIBIT; AFFIDAVIT OF PLAINTIFF

MEMORANDUMS OF LAW, ARGUMENTS AND EXHIBIT IN SUPPORT OF MOTION

Plaintiff Pro Se hereby Motions the Family Court to consider both Motions "Nunc Pro Tunc"; whereby the intensions of Plaintiff Pro Se for Relief and Restitution for Merit of Claims for Plaintiff (Appellant) Pro Se can be proved by formal Motion to Hawaii's Supreme Court for disposition of the February 2, 1976 Eleventh Supplemental Decision by Judge Vitousek, which is Illegal after all, for Plaintiff Pro Se had appealed to Hawaii's Supreme Court and Notice of Appeal was filed December 15, 1975, and case S.C. No. 6102 was docketed on January 29, 1976. The Motion was not filed, although left for the Court to consider. This Violation by the clerks cannot be explained yet. "The Court" is blamed and no reason. However, the Eleventh Supplemental Decision is moot and can be deleted, as anything pertaining to this complicated "trust agreement" or "trustes" can be cancelled or reversed, for Judge Vitousek can Strike her Eleventh Supplemental Decision, according to *Rule 12(f) of HAWAII'S RULES OF CIVIL PROCEDURE*, against Defamatory, Libelous, and Slanderous matter as a "trustee" decision and order; and in its stead, ORDER CANCELLATION OF THE "TRUSTEE"OR "TRUST AGREEMENT". For, Plaintiff Pro Se Janice Ching Yee as a capable Christian, Capitalist woman, can plead for Plaintiff myself, without the psychiatrist's permission, according to *HAWAII'S FAMILY COURT RULES, Rule 91(a)* or *Chapter 605-2 of HAWAII'S REVISED STATUTES*, and should not be Restrained by Judge Betty Vitousek's Conflict for Prejudiced Judicial Persecution of Plaintiff Pro Se, who does not need a "trustee" and /or never should need a "guardian"; for according to *Chapter 551-2* and *Chapter 551-26 of HAWAII'S REVISED STATUTES;* Judge Vitousek committed harmful, reversible, prejudiced ERROR against Plaintiff Pro Se who never was an incompetent, insane, senile, drunkard, or spendthrift, and/or is not a minor; therefor Judge Vitousek's conflict for Humiliation by Defamation, Libel, and Slander is "Malice Aforethought" for "murder" of reputation, name, or character of Plaintiff Pro Se against this Illegal Impropriety of Coerced Incompetency which Judge Betty Vitousek committed, which is Judge Vitousek's Malevolent, Malfeasance for Instigation and Perpetration of a Conspiracy for Prejudiced Persecution by Deprivation of Income and Legal Rights for Plaintiff Pro Se against Judge Vitousek's Conflict which Prejudiced Malice for Coerced Incompetency for Coerced Destitution and Coerced Ignominy by Coerced Degradation for Coerced Destruction or Coerced Suppression or Coerced Non-assertion of Legal Rights, including *HAWAII'S RULES AND STATUTES*, in particular *Rule 16.1 and Rule 16.2 of HAWAII'S SUPREME COURT RULES and its CODE OF PROFESSIONAL RESPONSIBILITY*, wherefore Judge Vitousek is in Violation of its *ETHICAL CONSIDERATIONS EC7-21* against Malicious Abuse of Judicial Process, and can be challenged, according to *ETHICAL CONSIDERATION, EC7-22* for her part in the Conspiracy wherefore Judge Vitousek should have stopped Edward Chun et al, Defendants' counsel, according to *EC1-4*, whereof Chun was in Violation of *ETHICAL CONSIDERATION, EC7-5*, whereof Chun should not encourage his client in Criminal Ac-

tivities such as Conspiracy for the aforementioned Improprieties, which were in Violation of *ETHICAL CONSIDERATION, EC2-30,* whereby Edward Chun et al conducted a Malfeasant Defense, which was for Malicious Injury of Plaintiff(Appellant) Pro Se against the Violations mentioned. OR, all AMERICAN CONSTITUTIONAL RIGHTS AND AMENDMENTS for Plaintiff (Appellant) Pro Se against Judge Vitousek's Malfeasance against in particular:

1) the *FIRST AMENDMENT* for all FREEDOMS for Plaintiff (Appellant) Pro Se against Prejudiced Judicial Persecution and "false arrests".
2) the *FOURTH AMENDMENT* against "false arrest" ex- "guardian ad litem" or "trustee" Orders, insinuating and coercing incompetancy against a good capable American woman as Plaintiff (Appellant) Pro Se, without "Due Process of Law" against non-notification of, or hearing by Plaintiff Pro Se or immediate Family members, according to Law or specifically, *Chapter 551-27 of HAWAII'S REVISED STATUTES.*
3) the *SIXTH AMENDMENT* for a fast trial, private or by jury against Judge Betty Vitousek's vacillatory delay as Conflict for Harassment and torture.
4) the *EIGHTH AMENDMENT* against cruel and unusual punishment against Plaintiff (Appellant) Pro Se Janice Ching Yee who should not suffer as Defendant (Appellee) A.A. Yee who is at fault. I cannot understand this terrible unfairness.
5) the *THIRTEENTH AMENDMENT* and/or the *FOURTEENTH AMENDMENT* against "involuntary servitude" and/or "financial enslavement", which was discussed.
6) the *TWENTY-SEVENTH AMENDMENT* for Equal Rights, whereby Plaintiff (Appellant) Pro Se can collect Complete Summary Judgement or Judgement on the Pleadings as pled for so long for Equal Income for Equal Sum of work and type of work and hours (I work longer hours and think more and am more original) of work. I suppose I should thank the Court, for I never would have bragged about all of this if I didn't have to prove I am due a Complete Settlement of $3 Million for Plaintiff (Appellant) Pro Se for all Pleadings and for EXHIBIT "A" to be part and parcel of Pleadings for Plaintiff Pro Se for a set sum of half of Defendants' income at moment of final absolute divorce, filed on March 1, 1973, and multiplied by years of living more for Plaintiff, who hereby asks the Court to subtract amounts of alimony already paid for 1972 to March, 1976, thereby leaving the remainder of $3 million for Plaintiff Pro Se Janice Ching Yee, who does not then need the insurance coverage after all, for I like more controllable investments.

Plaintiff Pro Se hereby requests the Court to give Plaintiff (Appellant) Pro Se a Real clear Record of Credits due Plaintiff Pro Se, and not the Perjured False Record the Courts presently have of Plaintiff (Appellant) Pro Se; and I thank the Court for its consideration. This is in addition to Plaintiff Pro Se's plea for Complete Settlement of $3 Million for Plaintiff (Appellant) Pro Se as pled and for Custody of the Children to same Plaintiff, Janice Ching Yee, as Mother, for I can take better care of them. For this, I can be grateful.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Dated February 23, 1976.

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	)	FC-D No. 81258
	)	AFFIDAVIT OF PLAINTIFF
vs.	)	
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	)	

AFFIDAVIT OF PLAINTIFF PRO SE

I am Mrs. Janice Ching Yee, Plaintiff (Appellant) Pro Se of 3169 Alika Avenue of Honolulu, Hawaii, (96817), and being duly sworn and under oath, swear, and affirm that all of my "unprofessional" Legal Pleadings are pled in good faith and/or with good intentions, for a fast determination of this case.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Subscribed and sworn to
this 23rd day of February, 1976.

/s/ Anne Osenburg
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires: Oct. 15, 1978

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, V. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	FC-D No. 81258 APPEAL AGAINST THE UNEQUITABLE TERMS OF THE FINAL ABSOLUTE DIVORCE DECREE FIRST CIRCUIT COURT FAMILY COURT HONORABLE BETTY VITOUSEK, JUDGE

ORDER

FILED
1976 FEB 27 PM 2 48
/s/ Clement J.H. Chun
CLERK SUPREME COURT

APPENDIX "B(7)"

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	FC-D No. 81258
	)	
Plaintiff-Appellant,	)	APPEAL AGAINST THE
	)	UNEQUITABLE TERMS
v.	)	OF THE FINAL
	)	ABSOLUTE DIVORCE
	)	DECREE
ALFRED ALPHONSE YEE,	)	
and/or	)	FIRST CIRCUIT COURT
ALFRED A. YEE &	)	FAMILY COURT
ASSOCIATES,	)	
	)	
Defendants-Appellees.	)	HONORABLE BETTY
	)	VITOUSEK, JUDGE
	)	

ORDER

Appellant's Motion to Assign S.C. No. 5930, the Number of the Original Appeal for Case FC-D No. 81258, to Case S.C. No. 6102, filed on February 11, 1976, is denied without argument.
DATED: Honolulu, Hawaii, February 27, 1976.

SEAL

BY THE COURT:

/s/ William S. Richardson
Chief Justice

January 9, 1976

HAWAII'S SUPREME COURT JUSTICES
HAWAII'S SUPREME COURT
HONOLULU, HAWAII

Your Honors,

On December 19, 1975, Plaintiff-Appellant Pro Se presented a "Motion to Reserve Plaintiff-Appellant's Rights" (EXHIBIT "A") for filing, which the clerks refused to file, saying the Court had not ruled on the "Motion to Consolidate Appeals" *filed* December 5, 1975, and "we can't file it".

They said it could be left for the Court to decide on, but not having made other copies, it was not left for the Court. Instead, next day, a "Motion for Judgement on the Pleadings for Plaintiff-Appellant Pro Se; Memorandums, etc., Affidavit, etc., was brought in for filing and again refused for filing; so a letter was written to the Justices to order the clerks to file the "motion to be considered as pertinent for fast determination of all cases for Plaintiff-Appellant Pro Se".

Plaintiff-Appellant Pro Se hereby asks this Court to please consider Plaintiff-Appellant's Appeal for fast determination of all cases for Plaintiff-Appellant Pro Se for a precedent for Summary Judgement for Plaintiff-Appellant Pro Se, according to *Chapter 634-46 of HAWAII'S REVISED STATUTES*, or *Rule 56(a) of HAWAII'S RULES OF CIVIL PROCEDURE, OR*, Judgement on the Pleadings for Plaintiff-Appellant, according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE;* to include *Chapter 490; 1-207 and/or Chapter 490:3-606 of HAWAII'S REVISED STATUTES* for the Reservation of Plaintiff-Appellant's Legal Rights against Defendant-Appellees, Alfred Alphonse Yee, et al, (No. 5930) and/or Defendants-Appellees Edward Chun, et al, (No. 5903) and/or the other "Conspirators"* named for the "Motion to Consolidate Appeals against

*Betty Vitousek, et al, S.C. No. 6008
Betty Adams et al, and/or Gerry Nagahisa et al, S.C. No. 5924
Stephanie Kokernak, S.C. No. 5943
Robert Hogan, et al, S.C. No. 5971
Robert Franklin, S.C. No. 5949
Harold Nickelsen, et al, S.C. No. 5969
James Koshiba and/or the Hawaii Bar Association, S.C. No. 5970

APPENDIX "B(8)(a)"

Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant" Pro Se. FOR, IF the Court will note:

1) the "January 7, 1976" answer through Defendants-Appellees' counsel Edward Chun for Alfred Alphonse Yee, the tax return of Alfred A. Yee's personal gross income 1974 was $70,000.00, plus Director's Fees of $9,650.00, plus Dividends of $370.00, and plus Interest Income of $380.00, making Gross Income of $81,000.00, not including foreign amounts earned. (EXHIBIT "B")
2) the Tax Counsel was paid $5,723.00, which was exorbitant. Was it for Deception for Deprivation of Income for Plaintiff-Appellant Pro Se, OR, was it for Defraudment of the Government of taxes on $9,650.00 Director's fees, which was thrown against the losses in Guam, but only $900.00 was collected from the total as Director of Alfred A. Yee and Associates, which could have applied to losses in Guam, and not all of it should have been applied.
3) all of Plaintiff-Appellant Pro Se's recent affidavits included the statement of "Plaintiff-Appellant Pro Se" "never intended perjury or frivolity for delay". This was because of Discovery *(Rule 26 of HAWAII'S RULES OF CIVIL PROCEDURE)* in December, 1975, of Plaintiff-Appellant Pro Se's excusable inadvertant neglect or error of mistaking the 1973 Gross Income for Alfred Alphonse Yee for 1974's Gross Income, which was obtained by (Defendant-Appellee No. 5949) Robert Franklin, ex-counsel of Plaintiff-Appellant Pro Se, as reply in April, 1975, for a copy of Alfred A. Yee's tax statements. This is further evidence of Defendants-Appellees as Conspirators*, including Alfred A. Yee et al and/or Edward Chun et al's DECEPTION FOR DEPRIVATION OF LEGAL RIGHTS AND INCOME FOR PLAINTIFF-APPELLANT PRO SE AGAINST THE "CONSPIRATORS"* DECEPTION for "insinuated incompetancy" or "insinuated perjury".
4) all of Alfred Alphonse Yee's perjurous, deceptive methods or ways of Deception for Deprivation of Income for Plaintiff-Appellant Pro Se. For example, according to the letter of Edward Chun's, an enlarged salary for December of $14,417.04 was reported for Alfred Alphonse Yee. This was Deceptive for Deprivation of $1,250.00 extra moneys for Plaintiff-Appellant Pro Se, for as the Court will note the following projection whereby the income has been spread in more proper proportions or more advantageous proportions for Plaintiff-Appellant Pro Se for temporary maximum alimony until Complete Settlement for Plaintiff-Appellant Pro Se, for This Court to order a check for $1,250 meanwhile, for immediate relief of finances.

*Betty Vitousek, et al, S.C. No. 6008
Betty Adams et al, and/or Gerry Nagahisa et al, S.C. No. 5924
Stephanie Kokernak, S.C. No. 5943
Robert Hogan, et al, S.C. No. 5971
Robert Franklin, S.C. No. 5949
Harold Nickelsen, et al, S.C. No. 5969
James Koshiba and/or the Hawaii Bar Association, S.C. No. 5970

PROJECTION EXHIBITED

Date	AA Yee's monthly salary for 1975	Adjusted Gross for max. alimony	Paid Alimony	Relief Due Plaintiff-Appellant
Jan. 1975	$ 2,250.00		$1,400.	
Feb. 1975	3,150.00		1,400.	
Mar. 1975	3,150.00		1,400.	
Apr. 1975	3,150.00		1,400.	
May 1975	3,150.00		1,600.	
June 1975	3,150.00	$+3,130.04	1,600.	$ 50.00
July 1975	1,890.00		1,250.	
Aug. 1975	1,890.00		1,250.	
Sept. 1975	1,890.00		1,250.	
Oct. 1975	3,195.00	+3,806.00	1,250.	600.00
Nov. 1975	4,320.00	+2,781.00	1,250.	600.00
Dec. 1975	14,417.04	*CREDITS*	1,850.	
	+2,300.00			
	16,717.04	($9,717.04)		

Therefore, the Adjusted Gross Income per month for Alfred as projected here, is effected to add up to $7,001.00 for maximum alimony for Plaintiff-Appellant Pro Se of $1,850.00 which is an unfair sum for Plaintiff-Appellant Pro Se for equitable settlement or Complete Settlement.

This is all according to the "Sixth Supplemental Decision, etc.," page 8, for gross income of over $7,000.00 per month.

This unequitable method of distribution of income for alimony can be appealed once Judge Vitousek from the lower court reverses her decision for a "trustee" or "trust instrument" OR

signs the "trust instrument," which was supposedly due last July, 1975.

Can Hawaii's Supreme Court as the Senior Court please GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL FOR COMPLETE SETTLEMENT AND/OR SUMMARY JUDGEMENT FOR PLAINTIFF-APPELLANT PRO SE AGAINST ANY DEFENDANTS-APPELLEES OF THE CONSPIRACY for Deception for Deprivation of Income and Legal Rights for Plaintiff-Appellant Pro Se, who hereby asks Hawaii Supreme Court to hereby deduct $20,000.00 as inadvertant neglect and/or excusable error for Alfred A. Yee's Gross Income for 1974, and therefore can the Court please excuse this and deduct $10,000.00, or half of $20,000.00, as unpaid income for Plaintiff-Appellant Pro Se; and can it be amended on all of the Exhibits for Damages as an entry for Compensatory or Exemplary Damages.

Plaintiff-Appellant Pro Se hereby hopes the Justices will GRANT THIS AMENDMENT and GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL FOR A PRECEDENT FOR JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF-APPELLANT PRO SE FOR SUMMARY JUDGEMENT, so we can stop the delay as Obstruction of Justice for Plaintiff-Appellant.

Will the Court please include this letter as pertinent to be filed for Plaintiff-Appellant Pro Se's Record and to help eliminate costs, can the Justices please order a new file or folder for the "Consolidation of Appeals Against Conspiracy," etc., to eliminate making a total of 55 copies, for then this folder can be pulled out separate with any case of Plaintiff-Appellant Pro Se's.

With due respect for Justice,
/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated January 9, 1976
Honolulu, Hawaii

EXHIBIT "AUGH" of Feb. 17, 1976 "Objection" "and/or Motion to Reconsider" "Order of Feb. 13, 1976" (APP. "B(8)(b)"

APPENDIX "B(8)(a)"

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro-Se,	)	FC-D No. 81258
	)	APPEAL AGAINST THE
	)	UNEQUITABLE TERMS
vs.	)	OF THE FINAL ABSOLUTE
	)	DIVORCE DECREE
ALFRED ALPHONSE YEE,	)	AND CHILD CUSTODY
and/or	)	
ALFRED A. YEE &	)	FIRST CIRCUIT COURT
ASSOCIATES,	)	FAMILY COURT
Defendants-Appellees.	)	
	)	Honorable Betty Vitousek
	)	Judge

OBJECTION TO ORDER OF FEBRUARY 13, 1976
AND/OR MOTION TO
RECONSIDER MOTION TO GRANT AN INJUNCTION, ETC.

Plaintiff-Appellant Pro Se hereby Objects and Moves This Court to Reconsider Appellant's Motion to GRANT AN INJUNCTION, excusing Inadvertance Excusable Mistake of any Defects on the face of the previous Motion, according to *Rule 60(b-1)* of *HAWAII'S RULES OF CIVIL PROCEDURE*, whereby also *Chapter 490: 1-207* and/or *Chapter 490:3-606* of *HAWAII'S REVISED STATUTES* can be deleted as an inadvertant excusable mistake, if it does not apply for Plaintiff-Appellant Pro Se without prejudice.

Will the Court please remember the intent of Plaintiff-Appellant Pro Se for fast determination of This Case No. 6102, including the Records for case S.C. No. 5930 and FC-D No. 81258, which has been delayed too long; and thereby, can This Court GRANT PLAINTIFF APPELLANT PRO SE'S MOTION FOR PERMANENT CUSTODY OF THE CHILDREN AND COMPLETE SETTLEMENT FOR PLAINTIFF APPELLANT PRO SE AND ORDER IT SO FAR A CASH SETTLEMENT AS FAST AS POSSIBLE SO BOTH SIDES WILL STOP HURTING EACH OTHER.

APPENDIX "B(8)(b)"

The Jurisdiction of This Court to GRANT THIS APPEAL AND ORDER IT SO, resides on *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73, Rule 62(g), and Rule 65(b); HAWAII'S REVISED STATUTES, Chapter 602-5, Chapter 605-2, Chapter 641-4 and/or 641-24; HAWAII'S SUPREME COURT RULES, Rule 1(a) (1), Rule 16.2(a), and/or HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATION, EC7-22 and EC7-21.* AND/OR *THE UNITED STATES CONSTITUTION.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated February 16, 1976

APPENDIX "B(8)(b)"

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, v. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	MOTION TO GRANT AN INJUNCTION

ORDER

FILED
1976 FEB 13 PM 3:47
/s/ Clement J. H. Chun
CLERK SUPREME COURT

APPENDIX "B(9)"

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, v. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	MOTION TO GRANT AN INJUNCTION

ORDER

Appellant's Motion to Grant an Injunction During Pendency of an Appeal, filed on January 26, 1976, being legally defective on its face, is denied without argument.

DATED: Honolulu, Hawaii, February 13, 1976.

SEAL

FOR THE COURT:

/s/ William S. Richardson
Chief Justice

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	FC-D No. 81258 APPEAL AGAINST THE UNEQUITABLE TERMS OF THE FINAL ABSOLUTE DIVORCE DECREE AND CHILD CUSTODY FIRST CIRCUIT COURT FAMILY COURT Honorable Betty Vitousek Judge

MEMORANDUMS, ARGUMENTS, AND EXHIBITS IN SUPPORT OF OBJECTION AND/OR MOTION

Plaintiff-Appellant Pro Se hereby Objects and Moves the Court to RECONSIDER THE MOTION TO GRANT AN INJUNCTION, filed January 26, 1976, excusing the inadvertant mistake of any defects on the face of the previous Motion, according to *Rule 60(b-1)* of *HAWAII'S RULES OF CIVIL PROCEDURE*, whereby also *Chapter 490: 1-207 and/or Chapter 490:3-606 of HAWAII'S REVISED STATUTES* can be deleted as an inadvertant excusable mistake if it does not apply for Plaintiff-Appellant Pro Se, who was only looking for a rule to Reserve Plaintiff-Appellant Pro Se's Rights for payment of moneys to Plaintiff-Appellant Pro Se without prejudice.

Excusing former Motion To Grant An Injunction for "being legally defective on its face", can the Court accept the new face of Plaintiff-Appellant Pro Se's Motion, excusing seeming frivolity, if this is the cause of denial of Plaintiff-Appellant Pro Se's Motion; for this Motion for an Injunction and all of the previous Memorandums of Law and Arguments and Exhibits are very pertinent for a fast determination of This Case for Plaintiff-Appellant Pro Se against the delay of thirty-six (36) months since the "Final Absolute Divorce for a case which should have decided financially already, for Complete Settlement for Plaintiff-

Appellant Pro Se for $3 million and for permanent Custody of the Children to same Plaintiff-Appellant Pro Se, Janice Ching Yee, who can take better care of them, so both sides can live in peace, without the tensions of an unsettled divorce case, which is traumatic on the children as well as on the parents.

Out of humaneness, the Supreme Court should have considered Plaintiff-Appellant Pro Se's letter of January 9, 1976, which was returned Jan. 13, 1976, by clerk Suzuki, which noted "case No. 5930" was "pau". (EXHIBIT "AUGH") This is delay as Obstruction of Justice for Plaintiff-Appellant Pro Se for moneys earned and against the Court's Violation of my *American Constitutional Rights** and its *First Amendment* or the *Twenty-seventh Amendment,* the Equal Rights Amendment, for Equal pay for Equal work performed. Will the Court hereby ORDER A CHECK FOR THE $1,250.00, which Defendants-Appellees, Alfred Alphonse Yee, et al, does owe Plaintiff-Appellant Pro Se as part of last year's (1975) alimony, for temporary relief until This Court can ORDER A CHECK FOR $3 million for Plaintiff-Appellant Pro Se Janice Ching Yee, not forgetting to deduct amounts of alimony for 1972-1975, amounting to an approximate $100,000.00 and bank interest as pled in the Hearing of October 21, 1975, of $240,000.00, whereby this bank interest can be paid for by Plaintiff-Appellant Pro Se, who thanks This Court who can ORDER A CHECK THEN FOR $2,660,000.00 for PLAINTIFF-APPELLANT PRO SE FOR COMPLETE SETTLEMENT, and thereby can ignore the Court's Violation of Plaintiff-Appellant Pro Se's *American Constitutional Rights** and its *Fourth, Sixth, Eighth, Thirteenth, and Fourteenth* Amendments against Cruel and Unusual Punishment of Deprivation of Income for Plaintiff-Appellant Pro Se for a Fast Trial or Fast Determination of This Case and thereby against the Court's Violation of these Amendments against Cruel and Unusual Punishment and Deception by the Courts whose sinister intentions to hide or delete a portion of Plaintiff-Appellant Pro Se's case, namely case No. S.C. 5930, is evident. This is also a Violation of Plaintiff-Appellant Pro Se's *American Constitutional Rights** and its *Sixth Amendment* against a delayed trial by various methods of Deception by the lower Family Court, which should not be contributed to by Hawaii's Supreme Court.

**ENCYCLOPEDIA OF BRITTANICA, (vol. 6) page 501-507.*

FOR THE LOVE OF GOD, CAN THIS COURT GRANT THIS APPEAL FOR PLAINTIFF APPELLANT PRO SE JANICE CHING YEE WHO HEREBY THANKS THIS COURT FOR ITS TIME.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated, February 16, 1976.

*page 2.

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 5953426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1976 MAR 22 PM 2 39

s Y. BABA
CLERK

PLAINTIFF PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	FC-D No. 81258
vs.	AMENDMENT OF MOTION FOR RELIEF OF JUDGEMENT
ALFRED ALPHONSEE YEE and/or ALFRED A. YEE & ASSOCIATES, Defendants.	

AMENDMENT OF MOTION FOR RELIEF OF JUDGMENT

Plaintiff (Appellant) Pro Se hereby Motions for Amendment, according to *Rule 15 of HAWAII'S RULES OF CIVIL PROCEDURE;* for request to stipulate the deletion of the Hearing set for Thursday, March 25, 1976, since this case (FC-D, No. 81258) has been argued so many times from the initial action for divorce:

1) initiated September 16, 1971;
2) filed Complaint, September 14, 1972;
3) hearing of February 12, 1973;
4) FINAL ABSOLUTE DIVORCE, FILED MARCH 1, 1973;
5) hearing of July 20, 1973;
6) hearing of September 7, 1973;
7) hearing of April 18, 1974
8) hearing of September 6, 1974;
9) hearing of January 24, 1975;
10) hearing of April 4, 1975;
11) hearing of April 23, 1975;
12) hearing of June 16, 1975;

13) hearing of June 24, 1975; and
14) hearing of August 6, 1975;

whereby it really does not need another argument or hearing.

May the Motions of February 23, 1976, and this Motion of March 22, 1976, also be considered part and parcel of all pleadings for Plaintiff (Appellant) Pro Se who hereby again pleads for a Complete Final Settlement for $3 million for Plaintiff (Appellant) Pro Se for Final Absolute Divorce; for this as Equitable Settlement for a marriage of 20 years and five (5) Legitimate chidlren, whereby same Plaintiff Janice Ching Yee, as Mother and ex-wife, once helped to build up the person and name of Alfred Alphonse Yee and/or Alfred A. Yee & Associates, from an income of $3000.00 per year for its top executive Alfred Alphonse Yee to income to $105.000.00 for this top executive at moment of divorce, whereby this Alfred Yee does owe Janice Ching Yee, same Plaintiff (Appellant) Pro Se $3 million for Judgment on the Pleadings as pled, per *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE* and/or *Rule 56(a) of these RULES*, for Summary Judgement for Plaintiff (Appellant) Pro Se for Custody of the Children to same Plaintiff Janice Ching Yee, for I can teach the Children better; and I hereby think the Hawaii's Family Court for its time.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 5953426

Dated, March 22, 1976.

NO. 5930

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1974

JANICE CHING YEE,	)	FC-D No. 81258
	)	
Plaintiff-Appellant,	)	APPEAL FROM ANY
	)	DECISION OR
vs.	)	JUDGEMENT OF THE
	)	LOWER COURTS OTHER
	)	THAN FOR FINAL
	)	DIVORCE, PAYMENTS
ALFRED ALPHONSE YEE,	)	DUE PLAINTIFF-
and/or	)	APPELLANT, AND/OR
ALFRED A. YEE &	)	DISCHARGE OF THE
ASSOCIATES,	)	"GUARDIAN AD
	)	LITEM": FOR DIVORCE
Defendant-Appellee.	)	COMPLAINT OF
	)	SEPTEMBER 14, 1972
	)	INITIATED SEPTEMBER
	)	16, 1971), THROUGH
	)	TO THE LAST DECISION
	)	OR JUDGEMENT OF
	)	THE LOWER COURTS
	)	FILED JUNE 26, 1975.
	)	
	)	FIRST CIRCUIT COURT
_____	)	FAMILY COURT

Honorable Betty Vitousek
Judge

FILED
SEP 22 8 33 AM 1975
s/ Clement J.H. Chun
CLERK SUPREME COURT

RECEIPT FOR CERTIFIED MAIL
No. 483888
Sent To: Ed Chun
Date: September 22, 1975

APPENDIX "B(11)"

MOTION FOR SPECIAL SUMMARY JUDGEMENT AND CUSTODY; OR IN THE ALTERNATIVE, MOTION FOR CUSTODY AND RECONSIDERATION OF TEMPORARY ALIMONY PAYMENTS AND CHILD SUPPORT

I hereby certify that two copies of these Motions have been sent to attorney Ed Chun, for Defendant-Appellee Alfred Alphonse Yee, properly addressed and postage prepaid, from the U.S. Post Office at Honolulu, Hawaii, this 22nd day of September, 1975.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

APPENDIX "B(11)"

NO. 5930

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1974

JANICE CHING YEE,	)	FC-D No. *81258*
	)	
Plaintiff-Appellant,	)	APPEAL FROM ANY
	)	DECISION OR
vs.	)	JUDGEMENT OF THE
	)	LOWER COURTS
	)	OTHER THAN FOR
	)	FINAL DIVORCE,
	)	PAYMENTS DUE
ALFRED ALPHONSE YEE,	)	PLAINTIFF-APPELLANT,
and/or	)	AND/OR DISCHARGE
ALFRED A. YEE &	)	OF THE "GUARDIAN
ASSOCIATES,	)	AD LITEM": FOR
	)	DIVORCE COMPLAINT
Defendant-Appellee.	)	OF SEPTEMBER 14,
	)	1972, (INITIATED
	)	SEPTEMBER 16, 1971)
	)	THROUGH TO THE
	)	LAST DECISION OR
	)	JUDGEMENT OF THE
	)	LOWER COURTS FILED
	)	JUNE 26, 1975.
	)	
	)	FIRST CIRCUIT COURT
	)	FAMILY COURT
	)	

Honorable Betty Vitousek
Judge

MOTION FOR SPECIAL SUMMARY JUDGEMENT AND CUSTODY; OR IN THE ALTERNATIVE, MOTION FOR CUSTODY AND RECONSIDERATION OF TEMPORARY ALIMONY PAYMENTS AND CHILD SUPPORT

These Motions are in addition to Plaintiff-Appellant's OPENING BRIEF FOR APPEAL TO HAWAII'S SUPREME COURT for Plaintiff-Appellant.

The Jurisdiction of this court to hear and grant this APPEAL from Honolulu, Hawaii, residence of the parties involved, rests on *Chapter 602-5 of Hawaii's Revised Statutes* and *Rule 73 of Hawaii's Rules of Civil Procedure* and also by recommendation of the lower court's Judge Betty Vitousek per *page 6 of the "transcript"* of the Friday April 4, 1975 hearing or per *"transcript"* of the hearing of April 23, 1975 or *"transcript"* of the hearing of June 24, 1975, where all of Plaintiff-Appellant's Motions for Amended Complaints or Reconsideration by Judge Betty Vitousek were denied by the lower court's Betty Vitousek, ex-judge of the case in the family court previously.

By REASON of Judge Betty Vitousek's incompetance, and according to *Rule 63 of Hawaii's Rules of Civil Procedure* and the neglect of her office to file Notice of Entry of Order, can the Supreme Court of Hawaii please accept Plaintiff-Appellant Janice Ching Yee's Notice of (original) Appeal of Monday, May 5, 1975 against Judge Betty Vitousek's decisions or for the recommendation for Appeal to the Supreme Court, mentioned on Friday, April 4, 1975 as timely, and include the denials of April 23, 1975 and June 24, 1975 as part and parcel of this APPEAL.

Plaintiff-Appellant Janice Ching Yee hereby asks the Honorable Justices of the Supreme Court of Hawaii to grant Plaintiff-Appellant's Motion for Special Summary Judgement for $3 million for Janice Ching Yee, Plaintiff-Appellant and custody of the children against the degradation and/or humiliation of detailed explanations of why Alfred Alphonse Yee, Defendant-Appellee does owe Plaintiff-Appellant $3 million for all of the MERITS of Plaintiff-Appellant's pertinent Complaints, Amended Complaints, Motions, Memorandums of Law, Arguments, and Exhibits, against Conspiracy or Collusion, as once argued previously, and eight (8) other Conspirators* or Colluders* for the past forty-eight (48) destructive months (from inception of divorce) of Coercion for Destruction.

As a last resort, "IN THE ALTERNATIVE", can the Court grant Plaintiff-Appellant's Motion for "TEMPORARY ALIMONY" payment and Child Support immediately for the Monetary Relief for Plaintiff-Appellant to balance Plaintiff-Appellant's Statement of Income and Expenses as follows:

INCOME AND EXPENSES
(Average per month, 1975)

INCOME:		
Alimony	$1,250.00	
Repayment of Loan per "Sixth Supplemental"	350.00	
Part repayment of unpaid alimony	83.00	
Gift from Mother K. L Ching	250.00	
Parents' trust—gift	80.00	
Average dividends—stock	30.00	
Sale of books	5.00	
APPROXIMATE AVERAGE INCOME PER MONTH	$2,048.00	
EXPENSES:		
Federal Taxes, approx. (defrayed due to lack of funds)		$ 200.00
State Taxes, approx. (part defrayed due to lack of funds)		200.00
Mortgage: Alika		419.00
Other		320.00
Pool Supples (unexpected expenses for repair, etc. caused by lack of funds for better equipment)		50.00
Liberty House (defrayed for lack of funds for new clothes, or supplies as towels, sheets, stationery, etc.)		150.00
Gas & Car Repairs, tires etc.		100.00
Insurance—life, car, etc.		70.00
Medical & Dental (defrayed for lack of funds)		20.00
HMSA		14.00
Food		450.00
Printing, postage, etc.		100.00
Appliance and TV fixing (defrayed from lack of funds)		50.00
Utilities—electric, water, gas.		125.00
Telephone		50.00
Working women—for 2 days working 1 day ($120.00 defrayed for lack of funds)		240.00
Yardwork		120.00
Donations—(normal about $100—defrayed)		20.00
APPROXIMATE AVERAGE EXPENSES PER MONTH		$2,698.00
THEREFORE: MONTHLY DEFICIT COMPOUNDED BY DECREASE IN ALIMONY =		$650.00
DEFICIT OF UNPAID BILLS CAUSED BY LACK OF FUNDS:		
Taxes (for withholding)		4,600.00
Chun Hoon Markets		1,331.10
FHB Master Charge		604.75
Phillips Petroleum (monthly payments charged—paid 8 out of 17 installments)		92.95
THEREFORE: MONTHLY DEFICIT COMPOUNDED BY DECREASE IN ALIMONY AS OPPOSED TO PLEA OF OCTOBER 25, 1974 (EXH. "C" of plea enclosed) AND ACCUMULATED DEFICIT OF UNPAID BILLS		$7,278.80

Because of this, can the Court RECONSIDER and Grant Plaintiff-Appellant's Motion for Special Summary Judgement and Custody; or in the Alternative Grant Motion for Temporary Alimony of $4000.00 per month for Plaintiff-Appellant, so I can also cover the taxes due and slowly but surely pay the grocery bill and FHB bill and other unpaid bills.

Can you believe this doesn't even cover "Child Support" for the four (4) days the children live with Mother JCY, not including the groceries, which should amount to another $500.00 per month, making $100.00 each child for clothes, phone calls, recreation, entertainment (gang doings, or movies, or plays, etc.) film and development or supplies as paper, vitamins, band aid, toothpaste, listerine, from the drugstore. This is an abomination of spirit against this type of details, which should not be drawn out for reasonable men or women.

Why should Judge Betty Vitousek's MALICE cause her to wait from October 25, 1974 until April 4, 1975 to answer a

woman's plea for help (not mentioning the other interims of waiting for help) and *then* decrease the alimony instead of increase it? Alfred Yee's gross income for 1974 proved $105,000.00+ and I cannot see any excuse to cut down instead of increase the sum of alimony. Notice Alfred Yee's or Chun's or Judge Betty Vitousek's sneaky way of using the repayment of loan from joint savings ($350.00) added to the minimum alimony of $1250.00 (this covers mortgage and groceries—then everything else is an unpaid bill) to make alimony seem as if its $1600.00 per month but it isn't really because the extra $350.00 is actually used to catch up on bills in arrears. This way you never catch up. This is COERCED DEGRADATION AND DESTITUTION AND DESTRUCTION BY VIOLATION OF CONSTITUTIONAL RIGHTS AGAINST DEPRIVATION OF INCOME AND CIVIL RIGHTS.

For a fact, Plaintiff-Appellant has spent $20,000.00 of Plaintiff-Appellant's own money from family savings accounts from birth or inheritance. This was used to pay the bills not reimbursed as of yet. 1972, 1973, and 1974, Alfred Yee's PERJURY OR Ed Chun's PERJURY said Alfred Yee was not receiving salary or taking a cut in salary, but how come Alfred Yee reported average gross income of $100,000.00 for 1971, 1972, 1973, and 1974? This is not fair and proves for Plaintiff-Appellant against Judge Betty Vitousek who is not capable as judge for Hawaii's Family Court. Can the Supreme Court please Grant Plaintiff-Appellant Janice Ching Yee $3 million for Summary Judgement for REASON and MERIT for monetary claims and for custody of the children by September, 1975 for Punitive, General, Actual, Compensatory, Exemplary and Special Damages, according to Hawaii's Revised Statutes, Sec. 634-46 or Hawaii's Rules of Civil Procedure, Rule 56(a) OR in the Alternative, Grant Motion for Reconsideration for Temporary Alimony for immediate Relief, should the case extend beyond the month of September, 1975. I hope it does not need to extend after all for with Summary 'udgement and all of the REASONS given for MERIT, can the Supreme Court Grant Plaintiff-Appellant's Motion for Custody of the children, for as Mother Janice Yee I can take better care of them.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated September 22, 1975
Honolulu, Hawaii

INCOME AND EXPENSES
FOR
MRS. JANICE CHING YEE

INCOME—monthly		from May 1, 1974 to September, 1974	$2200.00
EXPENSES:—Monthly			
Taxes—Fed. prorated	$ 300.00		
State prorated	100.00		
Mortgage—Alika Ave.	423.00		
others	400.00		
Pool supplies	20.00		
Liberty House for clothes, etc.	150.00		
Gas and car repairs	100.00		
Insurance life car, etc., prorated	50.00		
Medical & Dental	20.00		
HMSA	14.00		
Food	350.00		
Printing, postage, etc.	50.00		
Appliance & TV fixings	25.00		
Utilities	70.00		
Telephone	50.00		
Working woman	240.00		
Yardwork	60.00		
Donations	25.00		
total expended not paid	$2547.00		2547.00
		deficit	$ 347.00

Exhibit "V2"

(EXH. "VEF")

Dated - Oct. 25, 1974 for plea of date

UNPAID BILLS
October 25, 1974

Publication of books	$2900.00
	600.00
	400.00
Taxes (withholding)	4600.00
Chun Hoon Markets	538.00
Val's appliance for freezer	200.00
Pool supplies	133.00
Yardwork	180.00
Bills outstanding—	$9551.00

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	CIVIL NOS. 44240
	44578
Plaintiff-Appellant,	44244
	45123
v.	44262
	44263
ROBERT G. HOGAN, et al. (NO. 5971)	44970
ROBERT A. FRANKLIN (NO. 5949) et al. (NO. 5969)	MOTION TO CONSOLIDATE APPEALS
HAROLD NICKELSEN, et. al. (NO. 5969)	AND MOTION
BETTY VITOUSEK, Judge, et al. (NO. 6008)	FOR JUDGMENT ON THE PLEADINGS
JAMES KOSHIBA, et al. (NO. 5970)	
GERRY NAGAHISA, et al. (NO. 5924)	
STEPHANIE KOKERNAK (NO. 5943),	
Defendants-Appellees.	

ORDER

FILED
1976 JAN 12 PM 4 23
s/ Darrel N. Phillips
CLERK SUPREME COURT

APPENDIX "C(1)"

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	CIVIL NOS. 44240
	)	44578
Plaintiff-Appellant,	)	44244
	)	45123
v.	)	44262
	)	44263
	)	44970
ROBERT G. HOGAN, et al. (NO. 5971)	)	MOTION TO
ROBERT A. FRANKLIN (NO. 5949)	)	CONSOLIDATE APPEALS
HAROLD NICKELSEN, et al. (NO. 5969)	)	
BETTY VITOUSEK, Judge, et al. (NO. 6008)	)	AND
JAMES KOSHIBA, et al. (NO. 5970)	)	MOTION FOR JUDGMENT
GERRY NAGAHISA, et al. (NO. 5924)	)	ON THE PLEADINGS
STEPHANIE KOKERNAK (NO. 5943),	)	
	)	
Defendants-Appellees.	)	
	)	

ORDER

The Motion to Consolidate Appeals Against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Depreivation of Income and Legal Rights for Plaintiff-Appellant, and Motion for Judgment on the Pleadings, filed on December 5, 1975, are denied without argument.

DATED: Honolulu, Hawaii, January 12, 1976.

SEAL

FOR THE COURT:

/s/ William O. Richards
Chief Justice

NO. 5949

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	CIVIL NOS. 44578
	)	44244
Plaintiff-Appellant,	)	45123
	)	44262
v.	)	44263
	)	44869
	)	44240
ROBERT A. FRANKLIN (NO. 5949)	)	
HAROLD NICKELSEN, et al. (NO. 5969)	)	
BETTY VITOUSEK, Judge, et al. (NO. 6008)	)	
JAMES KOSHIBA, et al. (NO. 5970)	)	MOTION FOR RECONSIDERATION
GERRY NAGAHISA, et al. (NO. 5924)	)	
STEPHANIE KOKERNAK (NO. 5943)	)	
ROBERT G. HOGAN, et al. (NO. 5971),	)	
	)	
Defendants-Appellees.	)	
	)	

ORDER

FILED
1976 FEB 13 PM 3:48
s/ Clement J.H. Chun
CLERK SUPREME COURT

APPENDIX "C(1)"

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	CIVIL NOS. 44578
	)	44244
Plaintiff-Appellant,	)	45123
	)	44262
v.	)	44263
	)	44869
ROBERT A. FRANKLIN (NO. 5949)	)	44240
HAROLD NICKELSEN, et al. (NO. 5969)	)	
BETTY VITOUSEK, Judge, et al. (NO. 6008)	)	
JAMES KOSHIBA, et al. (NO. 5970)	)	MOTION FOR RECONSIDERATION
GERRY NAGAHISA, et al. (NO. 5924)	)	
STEPHANIE KOKERNAK (NO. 5943)	)	
ROBERT G. HOGAN, et al. (NO. 5971),	)	
	)	
Defendants-Appellees.	)	
	)	

ORDER

The Court, having considered appellant's "Objection to Order of January 12, 1976, Denying Motion of December 5, 1975; and Motion for Reconsideration of December 5, 1975's 'Motion to Consolidate Appeals, Etc.'", and the attached documents, filed on January 21, 1976, hereby denies appellant's motion for reconsideration.

DATED: Honolulu, Hawaii, February 13, 1976.

SEAL

FOR THE COURT:

/s/ William S. Richardson
WILLIAM S. RICHARDSON
Chief Justice

STANLEY T. KANETAKE, #743-0
228 Kuulei Road
Kailua, Hawaii 96734
Tel. No. 262-6596

Attorney for Defendant

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 JUN 30 AM 8 38

R.S. YAMADA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	)	
	)	Civil No. 44869
Plaintiff,	)	
	)	ORDER GRANTING
VS.	)	MOTION TO DISMISS
	)	
STEPHANIE KOKERNAK,	)	
	)	
Defendant.	)	
	)	

ORDER GRANTING MOTION TO DISMISS

The Defendant's Motion To Dismiss the above-entitled action having come on regularly for hearing before the presiding Judge of the above-entitled Court on May 29, 1975, counsel for the Defendant and Plaintiff being present in Court, the Court being fully advised in the premises and good cause appearing therefor,

IT IS HEREBY ORDERED that the Motion to Dismiss be and is hereby granted and it is hereby ordered that the above-entitled cause shall be and is hereby dismissed with prejudice with each party to bear their own respective costs and attorney's fees.

DATED: Honolulu, Hawaii, June 20, 1975, nunc pro tunc as of May 29, 1975.

JUN 30 1975

/s/Norito Kawakami (SEAL)
JUDGE OF THE ABOVE-ENTITLED COURT

APPENDIX "C(2)(a)"

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

R. S. Yamada
Clerk, Circuit Court,
First Circuit
State of Hawaii

APPENDIX "C(2) (a)"

WILLIAM L. FLEMING 188-0
CADES SCHUTTE FLEMING
& WRIGHT
165 South King Street
Honolulu, Hawaii 96813
(Box 939 Honolulu 96808)

Tel. No. 531-7232

Attorney for Defendants

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 JUN 16 AM 8 05

H. SETO
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. ROBERT G. HOGAN, et al., Defendants.	CIVIL NO. 44240 JUDGMENT

JUDGMENT

Pursuant to the Order Dismissing Amended Complaint filed herein on May 7, 1975, it is hereby;

ORDERED ADJUDGED AND DECREED that the plaintiff take nothing, that this action be dismissed on the merits and that the defendants recover from the plaintiff their costs to be taxed in this action.

DATED: Honolulu, Hawaii, JUN 16 1975

Norito Kawakami
JUDGE OF THE ABOVE-
ENTITLED COURT

SEAL

APPENDIX "C(2)(b)"

APPROVED AS TO FORM:
JANICE CHING YEE, Plaintiff Pro Se

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

/s/ H. Seto
Clerk, Circuit Court,
First Circuit
State of Hawaii

APPENDIX "C(2) (b)"

RONALD Y. AMEMIYA 694
Attorney General
State of Hawaii

CEDRIC CHOI 1375
Deputy Attorney General

State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813
Tel. No. 548-4740

Attorneys for Defendants

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 AUG 28 AM 9 05
/s/ R.S. Yamada
R.S. YAMADA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	)	CIV. NO. 45123
Plaintiff,	)	ORDER GRANTING DEFENDANTS' MOTION
vs.	)	TO DISMISS
BETTY VITOUSEK, Judge, and/or THE FAMILY COURT OF THE FIRST CIRCUIT OF THE STATE OF HAWAII,	)	
Defendants.	)	

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS

Defendants Judge Betty Vitousek and the Family Court of the State of Hawaii having made a motion for dismissal of the complaint herein for failure to state a claim and the Court having heard oral argument of counsel for Defendants and of Plaintiff, pro se, on August 6, 1975, and the Court being fully advised in the premises, and due consideration given,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED

APPENDIX "C(2)(c)"

that the Motion to Dismiss for Failure to State a Claim is hereby granted.

DATED: Honolulu, Hawaii, AUG 27 1975.

/s/ Harold Y. Shintaku
Judge of the above
entitled Court

APPENDIX "C(2) (c)"

RONALD Y. AMEMIYA 694
Attorney General
State of Hawaii

NELSON S.W. CHANG 726
Deputy Attorney General

State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813
Tel. No. 548-4740

Attorneys for Defendants

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 APR 11 AM 10 28

E.K. BUSH
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	) CIV. NO. 44263
Plaintiff,	) ORDER GRANTING
vs.	) DEFENDANTS' MOTION
GERRY NAGAHISA, et al.,	) FOR SUMMARY
Defendants.	) JUDGMENT AND
	) DENYING PLAINTIFF'S MOTION FOR
	) SUMMARY JUDGMENT

ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

The Defendants, Geraldine Nagahisa and Elizabeth Adams, having filed motions for summary judgment on February 24, 1975, and the Plaintiff Janice Ching Yee, having filed a motion for summary judgment on March 5, 1975, and this Court having considered all memoranda filed herein and oral arguments in open court on March 13, 1975,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants' motions for summary judgment be and is hereby granted, and accordingly, that the Plaintiff's motion for

APPENDIX "C(2)(d)"

summary judgment be and is hereby denied.

DATED: Honolulu, Hawaii, APR 10 1975.

/s/NORITO KAWAKAMI
JUDGE OF THE ABOVE
ENTITLED COURT

SEAL

APPROVED AS TO FORM:
Janice Ching Yee
Plaintiff pro se

I do hereby certify that this is a full, true, and correct copy of the original on file in this office,.

/s/E.K. BUSH
Clerk, Circuit Court,
First Circuit
State of Hawaii

APPENDIX "C(2) (d)"

RONALD Y. AMEMIYA 694
Attorney General
State of Hawaii

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Attorney for Defendants

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 May 7 PM 1 47

R.S. YAMADA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	)	CIV. NO. 44263
	)	
Plaintiff,	)	ORDER DENYING
	)	PLAINTIFF'S MOTION
	)	FOR RETRIAL, MOTION
vs.	)	TO AMEND COMPLAINT,
	)	MOTION TO STRIKE AND
GERRY NAGAHISA, et al.,	)	MOTION FOR
	)	SUMMARY JUDGMENT
Defendants.	)	

ORDER DENYING PLAINTIFF'S MOTION FOR RETRIAL, MOTION TO AMEND COMPLAINT, MOTION TO STRIKE AND MOTION FOR SUMMARY JUDGMENT

The Plaintiff Janice Ching Yee, having filed motions for retrial; to amend complaints; to strike defendants' memorandum in opposition to Plaintiff's motion for reconsideration; and for summary judgment, on April 14, 1975, and this Court having considered all memoranda filed herein, the record and oral arguments in open court on April 30, 1975,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all of said motions be and is hereby denied.

DATED: Honolulu, Hawaii, May 7, 1975.

APPENDIX "C(2)(d)"

/s/ Norito Kawakami
Norito Kawakami
JUDGE OF THE ABOVE ENTITLED COURT (SEAL)

APPENDIX "C(2)(d)"

WILLIAM L. FLEMING 188-0
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Attorney for Defendants

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 JUN 16 AM 8 04

H. SETO
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. HAROLD NICKELSEN, et al., Defendants.	CIVIL NO. 44244 JUDGMENT

JUDGMENT

Pursuant to the Order Dismissing Amended Complaint filed herein on May 7, 1975, it is hereby;

ORDERED ADJUDGED AND DECREED that the plaintiff take nothing, that this action be dismissed on the merits and that the defendants recover from the plaintiff their costs to be taxed in this action.

DATED: Honolulu, Hawaii, June 16, 1975.

SEAL

/s/ Norito Kawakami
Norito Kawakami
JUDGE OF THE ABOVE-ENTITLED COURT

APPENDIX "C(2)(e)"

APPROVED AS TO FORM:
JANICE CHING YEE, Plaintiff Pro Se

I do hereby certify that this is a full, true and correct copy of the original on file in this office.

/s/ H. Seto
H. Seto
Clerk, Circuit Court, First Circuit
State of Hawaii

APPENDIX "C(2)(e)"

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1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1975 JUN 16 AM 8 01

H. SETO
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	)	CIVIL NO. 44262
	)	
Plaintiff,	)	JUDGMENT
	)	
vs.	)	
	)	
JAMES E. KOSHIBA, et al.,	)	
	)	
Defendants.	)	
	)	

JUDGMENT

Pursuant to the Order Dismissing Amended Complaint filed herein on May 7, 1975, it is hereby;

ORDERED ADJUDGED AND DECREED that the plaintiff take nothing, that this action be dismissed on the merits and that the defendents recover from the plaintiff their costs to be taxed in this action.

DATED: Honolulu, Hawaii, June 16, 1975.

SEAL

/s/ Norito Kawakami
Norito Kawakami
JUDGE OF THE ABOVE-ENTITLED COURT

APPENDIX "C(2)(f)"

APPROVED AS TO FORM:
JANICE CHING YEE, Plaintiff Pro Se

I do hereby certify that this is a full, true and correct copy of the original on file in this office.

/s/ H. Seto
H. Seto
Clerk, Circuit Court, First Circuit
State of Hawaii

APPENDIX "C(2)(f)"

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	APPEAL AGAINST THE LOWER COURTS' JUDGMENTS FOR DENIAL OF REMEDY FOR PLAINTIFF AGAINST CONSPIRATORS* NAMED FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF
vs.	)	
ROBERT HOGAN, ET AL, (NO. 5971)	)	CIVIL NO. 44240
ROBERT FRANKLIN, (NO. 5949)	)	CIVIL NO. 44578
HAROLD NICKLESEN, ET AL (NO. 5969)	)	CIVIL NO. 44244
JUDGE BETTY VITOUSEK, ET AL, (NO. 6008)	)	CIVIL NO. 45123
JAMES KOSHIBA, &/OR THE HBA, (NO. 5970)	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, & /OR GERRY NAGAHISA, ET AL, (NO. 5924)	)	CIVIL NO. 44263
STEPHANIE KOKERNAK, (NO. 5943)	)	CIVIL NO. 44869
Defendant(s)-Appellee(s).	)	

MOTION TO CONSOLIDATE APPEALS AGAINST CONSPIRACY FOR PREJUDICED PERSECUTION BY MALICIOUS ABUSE OF JUDICIAL PROCESS FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF-APPELLANT PRO SE; MOTION FOR JUDGMENT ON THE PLEADINGS:

Plaintiff-Appellant Pro Se hereby moves the Court to CONSOLIDATE all APPEALS of Plaintiff-Appellant Pro Se to APPEAL as one for CONSOLIDATION against all Defendant(s)-Appellee(s) CONSOLIDATED FOR CONSPIRACY FOR PREJUDICED PERSECUTION BY MALICIOUS

APPENDIX "C(3)"

ABUSE OF JUDICIAL PROCESS FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF-APPELLANT PRO SE AGAINST THE CONSPIRATORS* NAMED:

*ROBERT HOGAN, ET AL, NO. 5971;
ROBERT FRANKLIN, NO. 5949;
HAROLD NICKELSEN, ET AL, NO. 5969;
JUDGE BETTY VITOUSEK, ET AL, NO. 6008;
DR. BETTY ADAMS, ET AL, &/OR
GERRY NAGAHISA, ET AL, NO. 5924
JAMES KOSHIBA &/OR THE HAWAII BAR ASSOCIATION, NO. 5970; and STEPHANIE KOKERNAK, NO. 5943.

The Grounds for the Motion are whereby all Defendant(s)-Appellee(s) are bound by the common grounds of CONSPIRACY by all for PREJUDICED PERSECUTION BY MALICIOUS ABUSE OF JUDICIAL PROCESS FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF-APPELLANT PRO SE AGAINST THE CONSPIRACY, instigated and perpetrated by part and perpetrated by the remainder of the group.

This MOTION CONSOLIDATES THE APPEALS AGAINST ALL DEFENDANTS-APPELLEES FOR THE CONSPIRACY FOR PREJUDICED PERSECUTION BY MALICIOUS ABUSE OF JUDICIAL PROCESS FOR COERCED IGNOMINY BY DEGRADATION, DECEPTION, DEFAMATION, LIBEL, AND SLANDER, *AND* COERCED DESTITUTION BY GROSS CHEAT, FALSE PRETENSES, FOR THE DEPRIVATION OF INCOME AND ALL LEGAL RIGHTS FOR PLAINTIFF-APPELLANT PRO SE AGAINST THIS COERCED DESTRUCTION BY DEFENDANTS-APPELLEES. These Allegations will be considered in order later.

This MOTION excludes the other crimes or violations by the Defendant(s)-Appellee(s) and leaves the Defendant(s)-Appellee(s) as individuals to defend their individual crimes or violations, which the Defendant(s)-Appellee(s) committed as separate individuals.

Plaintiff-Appellant Pro Se hereby moves the Court for a Judgement on the Pleadings for Plaintiff, according to *Rule 12(c)* of *HAWAII'S RULES OF CIVIL PROCEDURE*, or for Summary Judgement for Plaintiff-Appellant Pro Se, according to *Rule 56(a) of HAWAII'S RULES OF CIVIL PROCEDURE.*

The JURISDICTION of This Court to Hear and Grant this APPEAL FOR THESE MOTIONS resides on *HAWAII'S REVISED STATUTES, Chapter 602-5; Rule 73 of HAWAII'S RULES OF CIVIL PROCEDURE: HAWAII'S SUPREME COURT, Rule 2(d) and HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS EC7-22.*

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	MEMORANDUMS OF POINTS AND AUTHORITIES IN SUPPORT OF MOTIONS
vs.	)	
ROBERT HOGAN, ET AL, (NO. 5971)	)	CIVIL NO. 44240
ROBERT FRANKLIN, (NO. 5949)	)	CIVIL NO. 44578
HAROLD NICKELSEN, ET AL (NO. 5969)	)	CIVIL NO. 44244
JUDGE BETTY VITOUSEK, ET AL, (NO. 6008)	)	CIVIL NO. 45123
JAMES KOSHIBA, &/OR THE HBA, (NO. 5970)	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, &/OR GERRY NAGAHISA, ET AL, (NO. 5924)	)	CIVIL NO. 44263
STEPHANIE KOKERNAK, (NO. 5943)	)	CIVIL NO. 44869
Defendant(s)-Appellee(s).	)	

MEMORANDUMS OF POINTS AND AUTHORITIES

IN SUPPORT OF MOTIONS

Plaintiff-Appellant Pro Se hereby moves the Court for CONSOLIDATION OF APPEALS, according to *HAWAII'S SUPREME COURT RULES, Rule 2(d):*

"*Consolidation.* When cases involving a common question of law or fact are pending before the court, it may order a joint argument and may make other orders concerning proceedings to avoid any unnecessary costs or delay."

It is expeditious for this Court to GRANT this MOTION for CONSOLIDATION, and may it please do so, for Plaintiff-Appellant Pro Se's Legal APPEALS against the Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process by Coerced Ignominy effected by defraud, degradation, deception, defamation, libel, and slander AND Coerced Destitution by Swindle or Gross Cheat, False Pretenses, Defraud, and Deprivation of Income and Legal Rights, including American Constitutional Rights for Plaintiff-Appellant Pro Se.

For, according to *HAWAII'S REVISED STATUTES, Chapter 728-1:*

"*Conspiracy defined.* If two or more persons conspire:

(1) to commit any offense"

‡for example, as swindle, prejudiced persecution, "false arrest", coercion and duress, malicious abuse of judicial process, defamation, libel or slander, restraint of person or trade, violation of American Constitutional Rights or all Legal Rights, AND/OR obstruction of Justice . . .

"(2) to instigate or incite another or others to commit any offense"

‡for example, perjury and coercion and therefore conspiracy as a small example by Kokernak, Koshiba, Nagahisa and Adams as perpetrators of conspiracy as instigated by Al Yee, Chun, Hogan, Vitousek and perpetrated by them and Nickelsen and Franklin as active perpetrators . . .

"(4) to cause another to be arrested, charged, for any offense, knowing them to be innocent thereof:"

‡for example, the Defamatory Perjured "severe chronic mental illness" Adams' report, which instigated the loss of custody and instigated and contributed to the Illegal "false arrest" "guardian ad litem" order or recent Illegal "false arrest" "trustee" order . . .

"each shall be duilty of Conspiracy."

AND according to *Chapter 728-2:*

"Joining in after formation. Any person knowingly acceding to and joining in a conspiracy after the" same "is formed, is a party thereto, no less than the one who originally takes part in forming the same."

‡for example, this includes Nickelsen, Koshiba, or Robert Franklin, or any others after they, including Judge Norito Kawakami or John Parks or David Ingman.

AND according to *Chapter 728-3 and Chapter 728-4:*

"*Act in pursuance of, unnecessary.* It is not requisite that the

act agreed upon should be done or attempted in pursuance of the conspiracy; the conspiracy itself constitutes the offense." "*Act of any is that of all.* The act of each party to a conspiracy, in pursuance thereof; is the act of all."

‡for example, the act *was* effected for loss of custody and respect of the children for Plaintiff-Appellant Pro Se Janice Ching Yee against also the loss of income, whereby more than $30,000.00 of Plaintiff-Appellant's money and inheritance has been spent. ($10,000.00 family savings (Plaintiff's), $9,000.00 as gifts from Plaintiff's mother, $8,000.00 from parents' trust and $3,000.00 once placed in savings for Plaintiff's children by Plaintiff who had to borrow the money for the interim.

Will the Court please excuse any seeming discrepancies mentioned earlier, for not all sources were included together. This was not intentional, merely not thought out.

Can the Court also not limit the amount of the fine against Defendant(s)-Appellee(s) for their first degree Conspiracy, unless it is part; according to EXHIBITS of amounts owed by each**; and parcel of Restitution for Claims for Plaintiff-Appellant against the immensity of their crimes, which should all be punishable for Restitution for Monetary Claims for Plaintiff-Appellant Pro Se for Complaints against Defendant(s)-Appellee(s).

So, can the Court please weigh the Pleadings by Plaintiff-Appellant Pro Se, according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE* against the Defendants-Appellees and fine them according to This Court's discretion for the largest amount of Restitution for Plaintiff-Appellant Pro Se, and can the Court be challenged, according to *HAWAII'S SUPREME COURT RULES,* Ethical Consideration EC7-22 to Reconsider their Judgements and Order Judgement on Pleadings of Plaintiff-Appellant for COMPLETE SETTLEMENT AS SUMMARY JUDGEMENT FOR PLAINTIFF-APPELLANT PRO SE against Conspirator* Alfred Alphonse Yee, et al, for his sad part in this horrible Conspiracy against his ex-wife Janice Yee of 20 (twenty) years of marriage and 5 (five) legitimate children.

Plaintiff-Appellant Pro Se hereby hopes This Court can see its way clear to reopen case No. 5930 for a New Trial, according to *Rule 59(a)(2) of HAWAII'S RULES OF CIVIL PROCEDURE* against Alfred Alphonse Yee et al, Defendants-Appellees; and also include and reopen case No. 5903 for a New Trial against Conspirator* Edward Chun, et al, who conducted a defense for Alfred Yee for Malicious Harassment and Injury of Plaintiff-Appellant Pro Se, Janice Ching Yee.

*Page 1.
**page 3a-EXHIBIT.

****EXHIBITS FOR RESTITUTION**

ROBERT HOGAN ET AL, (NO. 5971) per EXHIBIT "HLL"

ROBERT FRANKLIN ET AL, (NO. 5949 per EXHIBIT "IS-X"

HAROLD NICKELSEN ET AL, (NO. 5969) per EXHIBIT "NON"

JUDGE BETTY VITOUSEK ET AL, (NO. 6008) per EXHIBIT "VXN"
(p.s. BETTY VITOUSEK MUST PAY THE INSURANCE LOSS—IT WAS DELIBERATE MALEVOLENCE ON HER PART)

DR. BETTY ADAMS ET AL, &/OR GERRY NAGAHISA ET AL, (NO. 5924) per EXHIBIT "SS"

JAMES KOSHIBA &/OR THE HAWAII BAR ASSOCIATION (NO. 5970) per EXHIBIT "KOK"

STEPHANIE KOKERNAK, (NO. 5943) per EXHIBIT "KKK-X"

For further explanation of the background of this case, or cases, leading up to the present situation;

This Conspiracy began in 1971 when instigator, Conspirator* Alfred Alphonse Yee obtained a housekeeper by the name of Stephanie Kokernak, Defendant-Appellee, as the Conspirator* who perpetrated the Conspiracy and helped Coerce divorce by Plaintiff-Appellant Pro se, who once didn't believe in divorce, but was not against them. By this divorce, Defendants-Appellees Alfred Alphonse Yee, and his counsel, Conspirator* Edward Chun, instigated a defense by Conspiracy for malicious injury by Deprivation of income and all Legal Rights for Plaintiff-Appellant against Plaintiff's ex-counsel, Conspirator* Robert Hogan, who's treachery as another instigator and perpetrator;

*page 1.

and Judge Betty Vitousek, who lowered herself as another instigator Conspirator* to effect this Deprivation by Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process as the "false arrest" "guardian ad litem" order which was Illegal; for Conspirator* Harold Nickelsen was Illegal in this void position of "guardian" against a capable American woman as Plaintiff-Appellant Pro Se, JCY, against Defendant-Appellee Gerry Nagahisa et al and/or Dr. Betty Adams et al, whose Perjured Defamatory Malice Aforethought "severe chronic mental illness" report to "murder" the reputation and good name of Plaintiff-Appellant Pro Se against both reports which caused loss of custody and personal freedom and income for Plaintiff-Appellant Pro Se against this perpetration of the conspiracy by Nagahisa and Adams et al as the tools for Coerced Ignominy by Defamation, Libel, and slander to add to Coerced Destitution by Swindle by the instigators, Conspirators* for ultimate Destruction of Plaintiff-Appellant against Defendants-Appellees Harold Nickelsen who didn't have the decency to decline the Illegal position and report the Conspiracy to the Disciplinary Council of the Hawaii Bar Association.

Upon report to the Ethics Committee of the Hawaii Bar Association by Plaintiff against Conspirator* Hogan and Conspirator* Judge Betty Vitousek, James Koshiba, then committee chairman, refused to see Defendants-Appellees Robert Hogan's Malevolent, Malfeasant, Illegal Impropriety, which was unethical as Hogan neglected to appeal for custody of the children to Plaintiff-Appellant against Hogan's Malfeasant Neglect to Strike or Appeal against the "guardian ad litem" order against his ex-client. Therefore this made James Koshiba, Defendants-Appellees a contributory Conspirator, unethical in the position of Ethics chairman for the Hawaii Bar Association. The Ethics Committee never answered the complaint against Judge Betty Vitousek, whose Malfeasant, Prejudiced, Impropriety was Malice Aforethought for the "murder" or "judicial assassination" of the reputation and good name of Plaintiff-Appellant Pro Se, Janice Ching Yee.

The grossness of the Conspirators* crimes can be reiterated against their Conspiracy for Prejudiced Judicial Persecution.

According to *BALLENTINE'S LAW DICTIONARY (3rd Edition)* 1968: "Gloss vs. People.": the Court ruled:

"*Prejudice.* Suffering an invasion of one's legal right. Having one's pecuniary interest affected by a judgement."

‡for example, the loss of income and personal freedom and custody of the children for Plaintiff-Appellant who considers my children treasures of priceless quality for Plaintiff against their learning hate from Alfred Yee and not filial piety and duty.

Or, from *BALLENTINE'S LAW DICTIONARY, "Hodgins vs. State":*

"*Prejudice.* An opinion formed before the facts are known or in disregard of facts."

‡for example, the total disregard of facts for Plaintiff-Appellant Pro Se Janice Ching Yee as a capable American woman for custody of the children and for Complete Settlement for Plaintiff-Appellant who can manage both.

Or, from *BALLENTINE'S LAW DICTIONARY, "Haslam vs. Morrison":*

"*Prejudice of Judge.* A hostile feeling or spirit of ill will, or undue friendship or favoritism, directed against or for one of the litigants."

Or: "*Prejudice of Judge.* Pertaining to the mental attitude toward a party to the litigation, not the view entertained regarding the subject matter involved. *30 AM J. Per ed. J. edges +170.*"

‡for example of both, the total disregard of Alfred A. Yee's or Edward Chun's crime to conduct a defense for malicious injury to "get" Al's ex-wife, Janice who should not suffer the Deprivation of income and Legal Rights.

Or from *CRIMINAL LAW, by Donnelly, Goldstein, and Schwartz, page 540, "Lambert vs. People of California, 355 U.S. 255, 1958":*

"Surely there can hardly be a difference as a matter of fairness, of hardship, or of justice, if one may invoke it, between the case of a person wholly innocent of wrongdoing, in the sense that he was not remotely conscious of violating any law, who is imprisioned for 5 years for conduct relating to narcotics."

"Then too, a cruelly disproportionate relation between what the law requires and the sanction for its disobedience may constitute a violation of the Eighth Amendment, as a cruel and unusual punishment, and, in respect to the States, even offend the Due Process Clause of the Fourteenth Amendment."

‡for example, Vitousek's ex-"guardian ad litem" "false arrest" orders for fourteen (14) months and recent "trustee" "false arrest" orders, which were made as a result of Defamatory Perjured testimony by Betty Adams' Malice Aforethought to "murder" the reputation of Plaintiff-Appellant against this Prejudiced Judicial Persecution for Coerced Ignominy and Coerced Destitution for Coerced Destruction of Plaintiff.

This was CRUEL AND UNUSUAL PUNISHMENT OF LOSS OF CUSTODY AND/OR THE INFLICTION OF AN EX-"GUARDIAN AD LITEM" "FALSE ARREST" ORDER OR LOSS OF INCOME FOR PLAINTIFF-APPELLANT PRO SE, JCY, WHO NEVER COMMITTED ADULTERY, CRIME, OR DELIBERATE SIN.

For according to *CRIMINAL LAW, by Donnelly, Goldstein and Schwartz for Due Process, page 935, "U.S. vs. United Mine Workers", 330 US 258 (1947), the U.S. Supreme Court ruled:*

"This Court has held that the denial of Constitutional guaranties in trials for crime is in itself prejudice . . . the other, there was prejudice in the most important thing beyond knowing the nature of the proceedings in advance of trial, namely in the penalty itself."

This was obvious Prejudice against Plaintiff-Appellant Pro Se, who never committed adultery, crime, or deliberate sin as Defendants-Appellees Alfred Alphonse Yee's defense to maliciously harass and injure by deprivation of income for Plaintiff who didn't deserve to suffer this "involuntary servitude". For according to *CRIMINAL LAW by Donnelly, Goldstein, and Schwartz, page 485 for "U.S. vs. Dowd", 271 F 2d, 292 (7th Cir. 1959):*

"The thirteenth Amendment prohibits "involuntary servitude" except as a punishment for crime whereof the party shall have been duly convicted."

This is unfair for Plaintiff-Appellant Pro Se, who didn't deserve this cruel treatment, or Prejudiced Persecution by Judge Betty Vitousek or Alfred Alphonse Yee, ex-husband, who's PERJURY AND FALSE PRETENSES of lack of money or business losses as Delay as Obstruction of Justice for Complete Settlement as Proper Restitution for Plaintiff-Appellant Pro Se against this improper delay of 50 (fifty) months for settlement of what started out as a simple divorce case, which should not be harassed by "involuntary servitude" after all for Plaintiff-Appellant does not want to work for or think of Alfred Alphonse Yee and Associates, for the divorce is FINAL, for Plaintiff-Appellant against this GROSS CHEAT as defined in *HAWAII'S REVISED STATUTES, Chapt. 747-1:*

"*Gross Cheat.* Whoever designedly, by any false pretense and "with" intent to defraud, obtains from another any money, goods, or other things of value, is guilty of a gross cheat. *PC 1869, c 21, +1; RL 1925, +4246; RL 1935 +5960; RL 1945 +11360; RL 1955, +289-1.*"

May the penalty not be limited by statutes for the amount of money obtained, exceeded an amount of $100,000.00 against the Conspirators* as "confidence men", according to *Sec. 747-24* of *HAWAII'S REVISED STATUTES,* for their Conspiracy of a Judicial Confidence "Game" by fraudulent pretenses to scheme, trick, and deceive for the Deprivation of income for Plaintiff-Appellant Pro Se.

And as according to *"Territory vs. Taok," 33 Haw. 560 (1930)*:

"To constitute the offense of gross cheat, the alleged false pretense must be of some past or existing fact and an information charging that the defendant pretended" . . . to promise a service or reward.

For a big example, Alfred Alphonse Yee's promise to his ex-wife Plaintiff Janice Ching Yee for marriage, Plaintiff "never need to worry, for "Plaintiff" would be taken care of for the rest of" Plaintiff's "life".

This proved "FALSE"; for Alfred Alphonse Yee, instead, advocated "involuntary servitude" wherefore Plaintiff-Appellant Pro Se had to worry if the next check would decrease or disappear or be late, as a method of mental harassment and mental injury by worry, frustration, and humiliation, trying to make extra money to meet expenses.

OR, Robert Hogan or Robert Franklin, or Harold Nickelsen's NON-ASSERTION OF LEGAL RIGHTS for Plaintiff-Appellant Pro Se for "best interests, personal and financial for Plaintiff" against Coerced Destitution by Deprivation of Income and all Legal Rights for Plaintiff-Appellant Pro Se.

*page 1.

OR, Stephanie Kokernak, who was supposed to do the maid's work and not usurp Plaintiff's position as the Woman of the House and Owner, or getting treated as a defamatory "incompetent", not to be listened to.

OR, the promise by James Koshiba of the Hawaii Bar Association's Ethic Committee to "investigate" Robert Hogan's "Unethical" behavior and not exonerate lack of ethics, therefore contributing to the Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process against Plaintiff. This is also against Judge Betty Vitousek's case, which never was investigated.

Furthermore, there never was any cause for Coerced Ignominy by Degradation, Deception, Defraud or Defamation by Robert Hogan, Robert Franklin, Harold Nickelsen, Judge Betty Vitousek, Alfred Alphonse Yee, Edward Chun, James Koshiba and/or the Hawaii Bar Association (with some exceptions mentioned), Betty Adams and/or Gerry Nagahisa, or Stephanie Kokernak; for the INSINUATION OF INCOMPETANCY by all of them against Plaintiff-Appellant.

For, according to *CRIMINAL LAW, page 180, "Kelly vs. U.S.", 194 F. 2d, 150 (DC Cir. 1951):*

> "So abominable is the crime, and so destructive is even the accusation of it, of all social right and privilege, that the law considers that the accusation is a coercion which men cannot resist. This seems to be the only case in which a threat to prosecute will supply the place of actual force."

This is similar to Alfred Alphonse Yee's FALSE ACCUSATION of "whore" called out in front of all of the children, or the threat by Defamatory Alfred Alphonse Yee, in which he threatened to "get" his ex-wife, Janice Ching Yee.

OR, Dr. Betty Adams MALICE AFORETHOUGHT PERJURED DEFAMATORY FALSE TESTIMONY AND REPORT TO "MURDER" THE REPUTATION AND/OR GOOD NAME OF A GOOD CAPABLE AMERICAN WOMAN AGAINST THIS INSINUATED INCOMPETANCY, which lost custody and "personal freedom" and income for a good, capable American Woman as Plaintiff-Appellant Pro Se.

OR, Judge Betty Vitousek's Defamatory "false arrest" ex-"guardian ad litem" or recent "false arrest" "trustee" orders, which INSINUATED INCOMPETANCY and by which, according to the *ENCYCLOPEDIA OF NEGLIGENCE, (vol. #2) page 1147 (sec. 409), "JILLSON vs. CAPRIO".* Mrs. Jillson set a good precedent for women like Plaintiff-Appellant Pro Se, who can collect complete RESTITUTION AGAINST ILLEGAL RESTRAINT, for "NOT ONLY THE PERPETRATORS, BUT THE INSTIGATORS OF UNLAWFUL VIOLENCE IS FULLY RESPONSIBLE TO ITS VICTIM."

And, according to *page 1159 (sec. 410):*

> *"ANYONE WHO AIDS A FALSE ARREST IS GUILTY!"*

This was MALICIOUS PROSECUTION; but against Plaintiff? For according to *LAW OF TORTS by William L. Prosser, (3rd Edition), 1964:*

> "There may be recovery of other damages, designated as "special", if there is specific pleading and proof. The Plaintiff may recover compensation for any arrest or imprisonment, including damages for discomfort or injury to his health, or loss of time and deprivation of the society of his family. He may recover any reasonable expenses to which he has been put in defending the prosecution and establishing his innocense, including attorney's fees in the criminal proceeding, although such fees in the action for Malicious Prosecution itself are normally not recoverable. In addition, he may recover for any specific financial loss such as the loss of present or prospective employment, which can be proved with reasonable certainty to have been caused by the prosecution, provided that it is regarded as a foreseeable, or normal, consequence of the criminal proceedings." "Because of the intentional and outrageous nature of the tort, malicious prosecution is peculiarly adapted to the award of punitive damages, and it is agreed generally that the jury may award them when they find personal ill will or oppressive conduct in the prosecution."

This applies to loss of eyesight, and persistent coughing due to lack of sleep for a capable American woman as Plaintiff-Appellant who pleads as Plaintiff-Appellant Pro Se for lack of money to retain a lawyer in Plaintiff's defense against the ex-"guardian ad litem" "false arrest" or "false arrest" "trustee" order, which should be stricken off Plaintiff-Appellant's good records. This applies to all the money lost or not reimbursed.

This also applies to loss of income from Plaintiff's Poetry Book, "THIS GIFT I PRESENT", due to be distributed September, 1975, but it was delayed due to lack of funds earlier;

for production was supposedly held up two months in March and April, 1975. This book should be distributed by Vantage Press and on its way to making money, not losing time or money against Judge Betty Vitousek's ill will for Deprivation of income for Plaintiff-Appellant Pro Se, who more than pleaded in early 1975 for more money to cover printing costs of the book for Plaintiff-Appellant Pro Se as author.

This was also Prejudiced Judicial Persecution by Judge Betty Vitousek and/or Prejudiced Persecution by Judge Norito Kawakami, whereby Judge Kawakami's prejudicial judgements VOID any of Kawakami's judgements for Defendant(s)-Appellee(s), according to *CRIMINAL LAW by Donnelly, Goldstein, and Schwartz, page 966-970, "People vs. Winters"; 171 Cal. App. 2d 876, 342, P. 2d 538 (App. Dept. Sup. Ct. 1959);* the Supreme Court ruled:

> "The dismissals were void because the trial Judge (Kawakami) acted in a matter where he openly declared his bias and prejudgment without disqualifying himself."

This makes *any* of Judge Norito Kawakami's prejudiced judgements VOID since Judge Kawakami said, "What if I were to tell you, you won't get anything out of this?" at a five (5) minute conference called for by Judge Kawakami previous to the first hearing in the lower Circuit Court. After thinking it was for the amateurish attempt to file and/or plead as Plaintiff Pro Se for Legal Unprofessional Complaints, Plaintiff answered, "You haven't read my Amended Complaints filed this morning." The answer was "NO", and it was the end of the conference. Therefore, the trial Judge, Kawakami was Prejudiced and "declared his bias and prejudgment without disqualifying himself", and his "dismissals were void".

CONCLUSION

Plaintiff-Appellant Pro Se hereby prays Hawaii's Supreme Court can understand and set a good Precedent for Hawaii's Supreme Court and GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL against the Conspirators* Names*; and if it please the Court against also Conspirator* Alfred Alphonse Yee et al, and also Conspirator* Edward Chun, et al, after all for all pertinent fact, written or argued for Plaintiff-Appellant Pro Se

*page 1.

for damages as monetary Remedy or Restitution for Claims for Summary Judgement, according to *Rule 56(a)* or Judgement on the Pleadings of Plaintiff-Appellant Pro Se, according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated December 5, 1975
Honolulu, Hawaii

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE
vs.	)	
ROBERT HOGAN, ET AL, (NO. 5971)	)	CIVIL NO. 44240
ROBERT FRANKLIN, (NO. 5949)	)	CIVIL NO. 44578
HAROLD NICKELSEN, ET AL, (NO. 5969)	)	CIVIL NO. 44244
JUDGE BETTY VITOUSEK, ET AL (NO. 6008)	)	CIVIL NO. 45123
JAMES KOSHIBA, &/OR THE HBA (NO. 5970)	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, &/OR GERRY NAGAHISA, ET AL, (NO. 5924)	)	CIVIL NO. 44263
STEPHANIE KOKERNAK, (NO. 5943)	)	CIVIL NO. 44869
Defendant(s)-Appellee(s).	)	

AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I am Mrs. Janice Ching Yee, of 3169 Alika Avenue, Honolulu, Hawaii, (96817) and being duly sworn and under oath, swear and affirm that all of the transcripts and evidence for this Consolidated Appeal are a part of the Record of the Appeal of Plaintiff-Appellant Pro Se, Janice Ching Yee vs. Alfred Alphonse Yee, Defendants-Appellees.

I hereby pledge that a Consolidation of Appeal can avoid unnecessary costs and delay and can lead to the expeditious determination of Judgements in all Appeals for Plaintiff-Appellant Pro Se.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Subscribed and sworn to before me
this 4th day of December, 1975.

/s/ Anne Osenburg
Anne Osenburg
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires: Oct. 15, 1978

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	APPEAL AGAINST THE LOWER COURTS' JUDGEMENTS FOR DENIAL OF REMEDY FOR PLAINTIFF AGAINST CONSPIRATORS* NAMED FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF
vs.	)	
*ROBERT HOGAN, ET AL., NO. 5971	)	CIVIL NO. 44240
ROBERT FRANKLIN, NO. 5949	)	CIVIL NO. 44578
HAROLD NICKELSEN, ET AL, NO. 5969	)	CIVIL NO. 44244
JUDGE B. VITOUSEK, ET AL, NO. 6008	)	CIVIL NO. 45123
J. KOSHIBA &/OR THE HAWAII BAR ASSOC., &/OR JUDGE N. KAWAKAMI, NO. 5970	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, &/OR GERRY NAGAHISA ET AL, NO. 5924	)	CIVIL NO. 44263
STEPHANIE KOKERNAK, NO. 5943 Defendant(s)-Appellee(s).	)	CIVIL NO. 44869

MOTION TO RESERVE PLAINTIFF-APPELLANT'S RIGHTS

WILLIAM FLEMING, Attorney for Hogan, Nickelsen, Koshiba.
CADES SCHUTTE FLEMING & WRIGHT
165 South King Street
Honolulu, Hawaii 96813

APPENDIX "C(4)"

MAX GARCIA, Attorney for Franklin
Suite 990 Pacific Trade Center
190 South King Street
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STANLEY KANETAKE, Attorney for Kokernak
228 Kuulei Road
Kailua, Oahu 96734

RONALD AMEMIYA 694
NELSON CHANG, 726, Attorneys for Nagahisa & Adams

RONALD AMEMIYA 694
CEDRIC CHOI 1375, Attorneys for Vitousek
Attorney General & Deputy Attorney General
State of Hawaii
415 South Beretania Street
Honolulu, Hawaii 96813

I hereby certify a copy of this motion was served on the individual attorneys for the separate Appellees by certified mail, postage prepaid, this 19th day of December, 1975.

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817

APPENDIX "C(4)"

IN THE SUPREME COURT OF THE STATE OF HAWAII
OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	APPEAL AGAINST THE LOWER COURTS' JUDGEMENTS FOR DENIAL OF REMEDY FOR PLAINTIFF AGAINST CONSPIRATORS* NAMED FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF
vs.	)	
*ROBERT HOGAN, ET AL, NO. 5971	)	CIVIL NO. 44240
ROBERT FRANKLIN, NO. 5949	)	CIVIL NO. 44578
HAROLD NICKELSEN, ET AL, NO. 5969	)	CIVIL NO. 44244
JUDGE B. VITOUSEK, ET AL, NO. 6008	)	CIVIL NO. 45123
J. KOSHIBA &/OR THE HAWAII BAR ASSOC., &/OR JUDGE N. KAWAKAMI, NO. 5970	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, &/OR GERRY NAGAHISA, ET AL, NO. 5924	)	CIVIL NO. 44263
STEPHANIE KOKERNAK, NO. 5943	)	CIVIL NO. 44869
Defendants-Appellee(s).	)	

MOTION TO RESERVE PLAINTIFF-APPELLANT'S RIGHTS

Plaintiff-Appellant Pro Se hereby Motions the Court to RESERVE PLAINTIFF-APPELLANT'S RIGHTS, according to *Chapter 490:1-207 and/or Chapter 490:3-606 of HAWAII'S REVISED STATUTES*, for the reservation of Plaintiff-Appellant's Legal Rights against Defendants-Appellees, *Alfred Alphonse Yee et al, and/or Defendants-Appellees, *Edward Chun et al, for payments due Plaintiff-Appellant Pro Se "without prejudice".

May this Reservation apply also to the Consolidation of Appeals against the Conspirators* (named) according to the December 5, 1975 "MOTION TO CONSOLIDATE APPEALS AGAINST CONSPIRACY".

Also, Plaintiff-Appellant hereby reserves mention of Defendants-Appellees' (case No. 5930) 1974 Gross Income until a copy of Alfred A. Yee's personal gross income tax statement is received, for any erroneous mention of 1974's gross income was 1973's gross income actually, which was deceptively received.

Upon realizing this error, Mr. Latham of Harris, Kerr, Foster, was contacted for a copy. For proper procedure, Mr. Latham sent a copy to Mr. Chun according to Mr. Latham. Not getting Defendants-Appellees Alfred A. Yee's counsel Edward Chun (Defendants-Appellees No. 5903), Mr. Kerr, of Chun, Kerr, and Dodd said he would ask Mr. Chun to mail a copy, and not wishing to leave this error unattended to, this Motion is hereby Motioned.

I hereby thank the Justices for This Right for Plaintiff-Appellant Pro Se, Janice Ching Yee.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated December 19, 1975
Honolulu, Hawaii

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	APPEAL AGAINST THE
	)	LOWER COURTS'
	)	JUDGEMENTS FOR
Plaintiff-Appellant	)	DENIAL OF REMEDY
Pro Se,	)	FOR PLAINTIFF
	)	AGAINST CONSPIRACY
	)	FOR DEPRIVATION OF
	)	INCOME AND LEGAL
vs.	)	RIGHTS FOR PLAIN-
	)	TIFF PRO SE
*ROBERT HOGAN, ET AL., NO. 5971	)	CIVIL NO. 44240
ROBERT FRANKLIN, NO. 5949	)	CIVIL NO. 44578
HAROLD NICKELSEN, ET AL, NO. 5969	)	CIVIL NO. 44244
JUDGE B. VITOUSEK, ET AL, NO. 6008	)	CIVIL NO. 45123
J. KOSHIBA AND/OR THE HAWAII BAR ASSOCIATION, NO. 5970	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, AND/OR GERRY NAGAHISA, ET AL, NO. 5924	)	CIVIL NO. 44263 CIVIL NO. 44263
STEPHANIE KOKERNAK, NO. 5943	)	CIVIL NO. 44869
Defendants-Appellee(s).	)	
	)	
	)	

MOTION FOR JUDGEMENT ON THE PLEADINGS
FOR PLAINTIFF-APPELLANT PRO SE
MEMORANDUMS OF LAW IN SUPPORT OF MOTION
AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE
(not included)

APPENDIX "C(5)"

WILLIAM FLEMING, Attorney for Hogan, Nickelsen, Koshiba, et al.
CADES SCHUTTE FLEMING & WRIGHT
165 South King Street; Hon., Hi., 96813

MAX GARCIA, Attorney for Franklin
Suite 990 Pacific Trade Center
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STANLEY KANETAKE, Attorney for Kokernak
228 Kuulei Road; Kailua, Oahu, 96734

RONALD AMEMIYA 694, NELSON CHANG 726, Attorneys for Nagahisa & Adams

RONALD AMEMIYA 694, CEDRIC CHOI 1375, Attorneys for Vitousek
Attorney General and Deputy
State of Hawaii
415 South Beretania Street; Hon., Hi.

I hereby certify a copy of this motion was served on the individual attorneys for the Defendant(s)-Appellee(s) by certified mail, postage prepaid, this 22nd day of December, 1975.

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817

Plaintiff-Appellant Pro Se

APPENDIX "C(5)"
(Memorandums not included)

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	APPEAL AGAINST THE
	)	LOWER COURTS'
	)	JUDGEMENTS FOR
Plaintiff-Appellant	)	DENIAL OF REMEDY
Pro Se,	)	FOR PLAINTIFF
	)	AGAINST CONSPIRACY
	)	FOR DEPRIVATION OF
vs.	)	INCOME AND LEGAL
	)	RIGHTS FOR PLAIN-
	)	TIFF PRO SE
*ROBERT HOGAN, ET AL, NO. 5971	)	CIVIL NO. 44240
ROBERT FRANKLIN, NO. 5949	)	CIVIL NO. 44578
HAROLD NICKELSEN, ET AL, NO. 5969	)	CIVIL NO. 44244
JUDGE B. VITOUSEK, ET AL, NO. 6008	)	CIVIL NO. 45123
J. KOSHIBA AND/OR THE HAWAII BAR ASSOCIATION, NO. 5970	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, AND/OR GERRY NAGAHISA, ET AL, NO. 5924	)	CIVIL NO. 44263 CIVIL NO. 44263
STEPHANIE KOKERNAK, NO. 5943	)	CIVIL NO. 44869
Defendant(s)-Appellee(s).	)	
_____	)	

MOTION FOR JUDGEMENT ON THE PLEADINGS
FOR PLAINTIFF-APPELLANT PRO SE

Plaintiff-Appellant Pro Se hereby Motions the Court to GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL FOR JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF-APPELLANT; according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE, AND/OR THE FEDERAL RULES OF CIVIL AND APPELLATE PROCEDURE,* or *Rule 6(b) of HAWAII'S SUPREME COURT RULES* against Defendants-Appellees' "failure to serve or file a written statement in opposition to a motion", thereby considered a "waiver of objection" to Grant Plaintiff-Appellant Pro Se's Appeal and/or "Motion for Judgement on the Pleadings" and for the "Motion to Consolidate Appeals Against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant" Pro Se, whereby these Motions were Motioned and Filed December 5, 1975.

The Jurisdiction of Hawaii's Supreme Court to GRANT THIS APPEAL FOR PLAINTIFF-APPELLANT PRO SE, without Prejudice, resides on *Section 602-5 of HAWAII'S REVISED STATUTES* and/or *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73,* whereby all of the parties are residents of the State of Hawaii.

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se

Dated December 22, 1975
Honolulu, Hawaii

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	APPEAL AGAINST THE
	)	LOWER COURTS'
	)	JUDGEMENTS FOR
Plaintiff-Appellant	)	DENIAL OF REMEDY
Pro Se,	)	FOR PLAINTIFF
	)	AGAINST CONSPIRACY
	)	FOR DEPRIVATION OF
vs.	)	INCOME AND LEGAL
	)	RIGHTS FOR
	)	PLAINTIFF PRO SE
*ROBERT HOGAN, ET AL., NO. 5971	)	CIVIL NO. 44240
ROBERT FRANKLIN, NO. 5949	)	CIVIL NO. 44578
HAROLD NICKELSEN, ET AL, NO. 5969	)	CIVIL NO. 44244
JUDGE B. VITOUSEK, ET AL, NO. 6008	)	CIVIL NO. 45123
J. KOSHIBA AND/OR THE HAWAII BAR ASSOCIATION, NO. 5970	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, AND/OR GERRY NAGAHISA ET AL, NO. 5924	)	CIVIL NO. 44263 CIVIL NO. 44263
STEPHANIE KOKERNAK, NO. 5943	)	CIVIL NO. 44869
Defendant(s)-Appellee(s).	)	

MEMORANDUMS OF LAW IN SUPPORT OF MOTION

Plaintiff-Appellant Pro Se hereby Motions, in reiteration, for Hawaii's Supreme Court to GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL AND/OR MOTION FOR JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF-APPELLANT PRO SE, according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE, AND/OR FEDERAL RULES OF CIVIL AND APPELLATE*, OR *RULE 7(b) of HAWAII'S SUPREME COURT RULES*, against Defendants-Appellees for "failure to serve or file a written statement in opposition to a motion" thereby constituting a "waiver of objection" to GRANT:

1) PLAINTIFF-APPELLANT PRO SE'S APPEAL OR "MOTION FOR JUDGEMENT ON THE PLEADINGS" FOR PLAINTIFF-APPELLANT PRO SE; and
2) PLAINTIFF-APPELLANT PRO SE'S APPEAL OR "MOTION TO CONSOLIDATE APPEALS AGAINST CONSPIRACY FOR PREJUDICED PERSECUTION BY MALICIOUS ABUSE OF JUDICIAL PROCESS FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF-APPELLANT" PRO SE; both of which were motioned on December 5, 1975.

May all of the authorities of These Motions be considered as part and parcel of This Memorandum in Support of the Motion for today.

Plaintiff-Appellant Pro Se hereby asks This Court, and hereby motioned, to Reserve Plaintiff-Appellant's Rights, according to *Chapter 490:10207 and/or Chapter 490:3-606 of HAWAII'S REVISED STATUTES*, for the reservation of all of Plaintiff-Appellant Pro Se's Legal Rights against Defendants-Appellees, *Alfred Alphonse Yee et al (case No. 5930) and/or Defendants-Appellees, *Edward Chun et al (case No. 5903) for payment due Plaintiff-Appellant Pro Se "without prejudice".

May this Reservation apply also to the Consolidation of Appeals against the other Conspirators* (named), according to the December 5, 1975 "MOTION TO CONSOLIDATE APPEALS AGAINST CONSPIRACY, ETC".

This Additional request is asked to Grant these additional Motions without prejudice for Edward Chun, et al, and/or Alfred Alphonse Yee, et al, who were instigators of the aforementioned Conspiracy and must be considered as Conspirators* to pay Plaintiff-Appellant Pro Se Restitution as monetary claims for damages for suffering suffered; and who hereby asks the Court to consider previous requests, hereby motioned, according to *Chapter 641-4, 641-31, and Chapter 91-14(a) of HAWAII'S REVISED STATUTES* for a BILL OF EXCEPTION for an Arrest of Judgement, according to *Chapter 641-5 and*

641-33 of these *STATUTES* for its Judgement to be vacated for case No. 5930 and/or case No. 5903; OR for a RETRIAL, hereby motioned, according to *Rule 59(a)(2) of HAWAII'S RULES OF* with permission for an extension of time for these Motions permissable by Hawaii's Supreme Court, according to Chapter 657-20 for Concealment of the "Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant" Pro Se.

AND/OR for an alteration of the Judgement for Reversal of the *erroneous* Judgement for Defendants-Appellees Yee et al, or Reversal for Defendants-Appellees Chun et al (No. 5903) who were wrong and with permission for an extension of time for these aforementioned Motions, permissable by Hawaii's Supreme Court, according to Chapter 657-20 of *HAWAII'S REVISED STATUTES* for Concealment of Crimes committed by Defendants-Appellees as stated.

Also, per *Rule 60(b-1 and b-2) of HAWAII'S RULES of CIVIL PROCEDURE AND/OR FEDERAL RULES OF CIVIL AND APPELLATE* PROCEDURE, can This Court please GRANT PLAINTIFF-APPELLANT PRO SE'S MOTIONS TO AMEND OPENING BRIEF, hereby Motioned, to include a copy of the lower court's Judgements, which the clerks of the Supreme Court said need not be included for it was not a "finding of fact and conclusions of law, or opinion or decision", but it is hereby appended if it please the Court, for conformity, as EXHIBITS "H", "F", "N", "V", "K", "AN", and "S". Can the Court please excuse this inadvertant neglect per Rule 60(b-1 and b-6) for "Judgement" was reiterated in the "STATEMENT OF JURISDICTION" for Plaintiff-Appellant Pro Se, whose intentions are good and hereby Objects vehemently against paying costs; for Defendants-Appellees must pay costs for Plaintiff-Appellant Pro Se, who never committed adultery, crime, or deliberate sin, and should not be made to suffer extra expenses and/or deprivation of income and legal rights.

IN CONCLUSION, will the Justices for Hawaii's Supreme Court please consider all arguments as well as memorandums of Law, exhibits, and all authorities as pertinent for pleadings in support of Plaintiff-Appellant Pro Se's Appeal and I thank the Justices if This Court can set a precedent and GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL for:

1) Judgement on the Pleadings for Plaintiff-Appellant Pro Se, per *Rule 12(c) of HAWAII RULES OF CIVIL PROCEDURE AND/OR FEDERAL RULES OF CIVIL AND APPELLATE PROCEDURE*, for Restitution as monetary claims for damages for suffering of Plaintiff-Appellant Pro Se, per discretion of Hawaii's Supreme Court Justices, and for custody of the children to Plaintiff-Appellant Pro Se for a clean true record for Plaintiff-Appellant Pro Se, Janice Ching Yee, and remembering restitution of moneys Plaintiff-Appellant had once earned and not collected or future income once striven and worked for and not assured of; and Strike the Defendants-Appellees Defamatory Records pertaining to the ex-"guardian ad litem" and/or "trustee" decisions, which were defamatory "false arrest" decisions by Vitousek's lower court, which was wrong.

OR:

2) Summary Judgement for Plaintiff-Appellant Pro Se, per *Rule 56(a) of HAWAII'S RULES OF CIVIL PROCEDURE AND/OR FEDERAL RULES OF CIVIL AND APPELLATE PROCEDURE*, and *Rule 12(c) of these RULES* for Judgement on the Pleadings for Plaintiff-Appellant Pro Se for Restitution as Monetary Claims for Damages for suffering of Plaintiff-Appellant Pro Se against Defendants-Appellees' "Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant" Pro Se, for a clean true record, whereby This Court can GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL to Strike the Defamatory Records of Defendants-Appellees, according to *Rule 12(f) of HAWAII'S RULES OF CIVIL PROCEDURE;* and This Court can Order and GRANT THIS FOR PLAINTIFF-APPELLANT PRO SE.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated December 22, 1975
Honolulu, Hawaii

Hereby were included copies of all of the judgements of the lower court as appended in Appendix "A(2)", "B(2)" and "C(2)(a to f)".

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE
Plaintiff-Appellant Pro Se,	)	
vs.	)	
*ROBERT HOGAN, ET AL, NO. 5971	)	CIVIL NO. 44240
ROBERT FRANKLIN, NO. 5949	)	CIVIL NO. 44578
HAROLD NICKELSEN, ET AL, NO. 5969	)	CIVIL NO. 44244
JUDGE B. VITOUSEK, ET AL, NO. 6008	)	CIVIL NO. 45123
J. KOSHIBA, AND/OR THE HAWAII BAR ASSOCIATION, NO. 5970	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, AND/OR GERRY NAGAHISA, ET AL, NO. 5924	)	CIVIL NO. 44263
STEPHANIE KOKERNAK, NO. 5943	)	CIVIL NO. 44869
Defendants-Appellees.	)	

AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I am Mrs. Janice Ching Yee, 3169 Alika Avenue, of Honolulu, Hawaii, (96817) and being duly sworn and under oath, swear and affirm that all of my "unprofessional" Legal Pleas, Complaints, Motions, Exhibits, and/or Arguments and/or Complete Opening Brief, Motions, Exhibits and/or Argument and Memorandums of Law are pled in good faith or with good intentions for I never intended perjury and/or frivolity for delay.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Subscribed and sworn to before me
this 22nd day of December, 1975.

/s/ Anne Osenburg
Anne Osenburg
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires: OCT 15 1978

Hereby was appended
EXHIBIT "AXE"
and
EXHIBIT "AFT"
(APPENDIX "E(i)")

December 23, 1975

HONORABLE JUSTICES OF HAWAII'S SUPREME COURT
HONOLULU, HAWAII

YOUR HONORS,

I cannot comprehend the clerks denial of Plaintiff-Appellant Pro Se's Legal Rights for December 22, 1975's Motion for Judgement on the Pleadings to be filed, according to *Rule 6(b) of HAWAII'S SUPREME COURT RULES*, for acceptance of Plaintiff-Appellant Pro Se's "Motion for Judgement on the Pleadings" of Plaintiff-Appellant as well as for "Motion to Consolidate Appeals against Conspiracy, etc.", filed Dec. 5, 1975.

Can Hawaii's Supreme Court Justices please GRANT THIS APPEAL FOR PLAINTIFF-APPELLANT PRO SE, for This Court's Jurisdiction resides on *Chapter 602-5 of HAWAII'S REVISED* STATUTES and *Rule 73(a) of HAWAII'S RULES OF CIVIL PROCEDURE*, whereby, according to *Rule 1(a)(1) of HAWAII'S SUPREME COURT* RULES, whereby Appeals are governed by *Rule 73(a) of HAWAII'S RULES OF CIVIL PROCEDURE* for Criminal and Civil cases.

Will the Justices please order the clerks to file the enclosed Motion to be considered as pertinent for fast determination of all cases for Plaintiff-Appellant Pro Se.

With due respect,
/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue
Honolulu, Hawaii

APPENDIX "C(6)"

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	APPEAL AGAINST THE LOWER COURTS' JUDGEMENTS FOR DENIAL OF REMEDY FOR PLAINTIFF AGAINST CONSPIR-ATORS* FOR DEPRIVA-TION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF
vs.	)	
*ROBERT HOGAN, ET AL., NO. 5971	)	CIVIL NO. 44240
HAROLD NICKELSEN, ET AL, NO. 5969	)	CIVIL NO. 44244
JUDGE B. VITOUSEK, ET AL., NO. 6008	)	CIVIL NO. 45123
JAMES KOSHIBA &/OR THE HAWAII BAR ASSOCIATION, NO. 5970	)	CIVIL NO. 44262
BETTY ADAMS, ET AL., &/OR GERRY NAGAHISA, ET AL., NO. 5924	)	CIVIL NO. 44263
STEPHANIE KOKERNAK, NO. 5943 Defendants-Appellees.	)	CIVIL NO. 44869

MOTION FOR AMENDMENT OF EXHIBITS FOR RESTITUTION FOR DAMAGES SUFFERED BY PLAINTIFF-APPELLANT PRO SE; MEMORANDUMS, ARGUMENTS, AND EXHIBITS; AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE (not included)

WILLIAM FLEMING, Counsel for Hogan, Nickelsen, Koshiba, et al.
165 S. King St., Hon., Hi., 96813

STANLEY KANETAKE, Counsel for Kokernak
228 Kuulei Rd., Kailua, Oahu, 96734

RONALD AMEMIYA 694,—Attorneys for
NELSON CHANG 726, Nagahisa & Adams

RONALD AMEMIYA 694,—Attorneys for
CEDRIC CHOI 1375, Vitousek

Filed JAN 21 1976
At 2:17 o'clock P.M.
Clement J.H. Chun
Clerk Supreme Court

Attorney General & Deputy(s)
Hawaii State Capitol
415 S. Beretania St., Hon., Hi.

I hereby certify a copy of this motion will be served, upon filing, on the individual attorneys for Defendants-Appellees by certified mail, postage prepaid, this 20th day of January, 1976.

s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE, Plaintiff-Appellant Pro Se
3169 Alika Avenue, Hon., Hi., 96817

APPENDIX "C(7)"

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE Plaintiff-Appellant Pro Se.	)	APPEAL AGAINST THE LOWER COURTS' JUDGEMENTS FOR DENIAL OF REMEDY FOR PLAINTIFF AGAINST CONSPIRATORS* FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF
vs.	)	
*ROBERT HOGAN, ET AL., NO. 5971	)	CIVIL NO. 44240
HAROLD NICKELSEN, ET AL, NO. 5969	)	CIVIL NO. 44244
BETTY VITOUSEK, ET AL., NO. 6008	)	CIVIL NO. 45123
JAMES KOSHIBA &/OR THE HAWAII BAR ASSOCIATION, NO. 6970	)	CIVIL NO. 44262
BETTY ADAMS, ET AL, &/OR GERRY NAGAHISA, ET AL, NO. 5924	)	CIVIL NO. 44263
STEPHANIE KOKERNAK, NO. 5943	)	CIVIL NO. 44869
Defendants-Appellees.	)	

MOTION FOR AMENDMENT OF EXHIBITS FOR RESTITUTION FOR DAMAGES SUFFERED BY PLAINTIFF-APPELLANT PRO SE

Plaintiff-Appellant Pro Se hereby Motions This Court, according to *Rule 6 of HAWAII'S SUPREME COURT RULES*, for Amendment of Exhibits for Restitution for Damages Suffered by Plaintiff-Appellant Pro Se, according to *Rule 60(b-1), Rule 60(b-2), Rule 60(b-3), and Rule 60(b-6) of HAWAII'S RULES OF CIVIL PROCEDURE*, for RELIEF from the lower Circuit Court's reversible, erroneous, prejudicial judgements.

The Jurisdiction of This Court to GRANT THIS AMENDMENT AND APPEAL FOR PLAINTIFF-APPELLANT PRO SE, resides on *HAWAII'S REVISED STATUTES, Chapter 602-5, Chapter 641-4 and Chapter 641-24, Chapter 490:1-207 and/or Chapter 490:3-606;* AND *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated January 20, 1976
Honolulu, Hawaii

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE Plaintiff-Appellant Pro Se,	)	APPEAL AGAINST THE LOWER COURTS' JUDGEMENT FOR DENIAL OF REMEDY FOR PLAINTIFF AGAINST CONSPIRATORS* FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF
vs.	)	
*ROBERT HOGAN, ET AL., NO. 5971	)	CIVIL NO. 44240
HAROLD NICKELSEN, ET AL, NO. 5969	)	CIVIL NO. 44244
BETTY VITOUSEK, ET AL., NO. 6008	)	CIVIL NO. 45123
JAMES KOSHIBA &/OR THE HAWAII BAR ASSOCIATION, NO. 6970	)	CIVIL NO. 44262
BETTY ADAMS, ET AL. & /OR GERRY NAGAHISA, ET AL, NO. 5924	)	CIVIL NO. 44263
STEPHANIE KOKERNAK, NO. 5943	)	CIVIL NO. 44869
Defendants-Appellees.	)	

MEMORANDUMS, ARGUMENTS, AND EXHIBITS IN SUPPORT OF MOTION

Plaintiff-Appellant Pro Se hereby Motions This Court for Amendment of Exhibits for Restitution for Damages Suffered by Plaintiff-Appellant Pro Se.

Plaintiff-Appellant Pro Se hereby asks This Court to please consider Plaintiff-Appellant's Appeal for fast determination of ail cases, according to *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 56(a)* for SUMMARY JUDGEMENT FOR PLAINTIFF-APPELLANT PRO SE, PER INDIVIDUAL EXHIBITS; (EXHIBIT "X"); *OR,* JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF-APPELLANT PRO SE, PER IVDIVIDUAL EXHIBITS, according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE;* including *Chapter 490:1-207 and/or Chapter 490:3-606* of *HAWAII'S REVISED STATUTES,* for the Reservation of Plaintiff Appellant's Legal Rights against Defendants-Appellees, Alfred Alphonse Yee, et al (No. 5930) and/or Defendants-Appellees, Edward Chun, et al, (No. 5903) and/or any of the other cases of the Conspirators* named. No. 5930 and No. 5903 of Hawaii's Supreme Court cases, are on reappeal or being appealed elsewhere.

Plaintift-Appellant Pro Se hereby asks This Court to GRANT MOTION FOR AMENDMENT OF EXHIBITS FOR RESTITUTION FOR DAMAGES SUFFERED BY PLAINTIFF-APPELLANT PRO SE FOR THESE REASONS; for if the Court will note:

1) the "January 7, 1976" answer through Defendants-Appellees' counsel Edward Chun for Alfred Alphonse Yee, the tax return of Alfred A. Yee's personal gross income for 1974 was $70,000. plus Director's Fees of $9,650., plus Dividends of $370., and plus Interest Income for $380., making Gross Income of $81,000., not including foreign amounts earned. (EXH. "A")
2) the Tax Counsel was paid $5,723., which was exorbitant. Was it for Deception for Deprivation of Income for Plaintiff-Appellant Pro Se, OR, was it for Defraudment of the Government of taxes on $9,650. Directors' fees, which was thrown against the losses in Guam, but only $900. was collected from total, as Director of Alfred A. Yee and Associates, which could have applied to losses in Guam, and not all of it should have been applied.
3) all of Plaintiff-Appellant Pro Se's recent affidavits included the statement of "Plaintiff-Appellant Pro Se" "never intended perjury or frivolity for delay". This was because of Discovery *(Rule 26 of HAWAII'S RULES OF CIVIL PROCEDURE)* in December, 1975, of Plaintiff-Appellant Pro Se's excusable inadvertant neglect or error of mistaking the 1973 Gross Income for Alfred Alphonse Yee for 1974's Gross Income, which was obtained by (Defendant-Appellee No. 5949, to be appealed elsewhere) Robert Franklin, ex-counsel of Plaintiff-Appellant Pro Se, as reply

*page 3.

in April, 1975, for a copy of Alfred A. Yee's tax statements for Gross Income for 1974. Upon realizing this error, (December, 1975) CPA Mr. Latham of Harris, Kerr, Foster, was contacted for a copy. For proper procedure, Mr. Latham sent a copy to Mr. Chun, according to Mr. Latham. Not getting an answer from Defendants-Appellees Alfred A. Yee's counsel Edward Chun; Mr. Kerr, of Chun, Kerr, and Dodd, said he would ask Mr. Chun to mail a copy; and not wishing to leave this error unattended to, a "Motion to Reserve Plaintiff-Appellant's Rights" was presented to Hawaii's Supreme Court, and was not filed by the clerks on December 19, 1975, which does not seem fair, for it was further evidence of Defendants-Appellees as Conspirators*, including Alfred A. Yee et al and/or Edward Chun et al's Deception for Deprivation of Legal Rights and Income for Plaintiff-Appellant Pro Se Against the Conspirators* Deception for "insinuated incompetancy" or "insinuated perjury" or "insinuated illegality".

It is hereby Moved, all of this to be considered by the Court, according to *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 60(b-1, b-2, b-3, and b-6)*, as part or parcel.

So, will This Court please GRANT PLAINTIFF-APPELLANT PRO SE'S "MOTION FOR AMENDMENT OF EXHIBITS FOR RESTITUTION FOR DAMAGES", as projected and revised on the following page for IF the Court will continue to note:

4) all of Alfred Alphonse Yee's perjurous, deceptive methods or ways of Deception for Deprivation of Income for Plaintiff-Appellant Pro Se. For example, according to the letter of Edward Chun's, an enlarged salary for December of $14,417.04 was reported for Alfred Alphonse Yee. This was Deceptive for Deprivation of $1,250.00 extra moneys for Plaintiff-Appellant Pro Se, for as the Court will note the following projection whereby the income has been spread in more proper proportions or more advantageous proportions for Plaintiff-Appellant Pro Se, for temporary maximum alimony until Complete Settlement for Plaintiff-Appellant Pro Se, for a check for $1,250. to be ordered as temporary relief of finances, by the Court for Plaintiff-Appellant Pro Se, according to projection.

*page 3.

PROJECTION EXHIBITED

Date	AA Yee's monthly salary for 1975	Adjusted Gross for Max. Alimony	Paid Alimony	Relief Due Plaintiff-Appellant
Jan. 1975	$2,250.		$1,400.	
Feb. 1975	3,150.		1,400.	
Mar. 1975	3,150.		1,400.	
Apr. 1975	3,150.		1,400.	
May 1975	3,150.		1,600.	
June 1975	3,150.	$+3,130.04	1,600	$ 50.
July 1975	1,890.		1,250.	
Aug. 1975	1,890.		1,250.	
Sept. 1975	1,890.		1,250.	
Oct. 1975	3,195.	+3,806.00	1,250.	600.
Nov. 1975	4,320.	+2,781.00	1,250.	600.
		CREDITS		
Dec. 1975	14,417.04		1,850.	
(div. etc.)	+2,300.00			
Dec.-Totals	$16,717.04	($9,717.04)		$1,250.

Therefore, the Adjusted Gross Income per specified months for Alfred as projected here, is effected to add up to $7,001.00 for maximum alimony for Plaintiff-Appellant Pro Se of $1,850, which is an unfair sum for Plaintiff-Appellant Pro Se for equitable settlement or Complete Settlement.

This is all according to the "Sixth Supplemental Decision, etc.," "page 8," for gross income of over $7000.00 per month. This unequitable method of distribution of income for alimony can be appealed once Judge Vitousek from the lower court reverses her decision for a "trustee" or "trust instrument" OR signs the "trust instrument", which was supposedly due last July, 1975.

Can Hawaii's Supreme Court as the Senior Court of Hawaii, please GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL FOR COMPLETE SETTLEMENT AND/OR SUMMARY JUDGEMENT FOR PLAINTIFF-APPELLANT PRO SE AGAINST ANY DEFENDANTS-APPELLEES OF THE CONSPIRACY for Deception for Deprivation of Income and Legal Rights for Plaintiff-Appellant Pro Se, who hereby asks Hawaii's Supreme Court to hereby deduct $20,000. as inadvertant neglect and/or excusable error for the 1974 Gross Income

of Alfred A. Yee, and therefore can the Court please excuse this and deduct $10,000, or half of this $20,000. as unpaid income or actual damages to be reflected and amended on the Exhibits for Damages of each of the Defendants-Appellees, as an entry for Compensatory or Exemplary Damages for Plaintiff-Appellant Pro Se.

This makes $10,000. less Actual Damages, but $10,000. more Compensatory or Exemplary Damages.

Plaintiff-Appellant Pro Se hereby prays the Justices will GRANT THIS AMENDMENT AND GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL FOR A PRECEDENT FOR JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF-APPELLANT PRO SE FOR SUMMARY JUDGEMENT, so we can stop the delay as Obstruction of Justice for Plaintiff-Appellant, who can also ask the Court to please GRANT PLAINTIFF-APPELLANT'S MOTION, according to *Chapter 641-4 and Chapter 641-24 of HAWAII'S REVISED STATUTES*, where "the Supreme Court" "may correct any error" which "was committed which injuriously affected the substantial rights of the Plaintiff" "appearing on the record". Might Plaintiff-Appellant Pro Se's prayer for truth GRANT PLAINTIFF-APPELLANT THIS APPEAL FOR A TRUE RECORD FOR PLAINTIFF APPELLANT PRO SE JANICE YEE AS A CAPABLE JUST AMERICAN WOMAN WHO NEVER INTENDS PERJURY OR FALSE WITNESS.

Therefore, will the Justices see fit to GRANT PLAINTIFF APPELLANT PRO SE'S MOTIONS AND APPEAL FOR SUMMARY JUDGEMENT as well as for CUSTODY OF THE CHILDREN TO PLAINTIFF-APPELLANT PRO SE, for PLAINTIFF-APPELLANT'S RECORD; OR, GRANT PLAINTIFF-APPELLANT PRO SE'S MOTIONS AND JUDGEMENT ON THE PLEADINGS, AS WELL AS FOR CUSTODY OF THE CHILDREN TO PLAINTIFF APPELLANT PRO SE, FOR PLAINTIFF APPELLANT'S TRUE RECORD.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated, January 20, 1976
Honolulu, Hawaii

*EXHIBITS FOR RESTITUTION

ROBERT HOGAN ET AL, (NO. 5971) per EXHIBIT "HLL"

HAROLD NICKELSEN ET AL, (NO. 5969) per EXHIBIT "NON"

JUDGE BETTY VITOUSEK ET AL, (NO. 6008) per EXHIBIT "VXN"
(p.s. BETTY VITOUSEK MUST PAY THE INSURANCE LOSS—IT WAS DELIBERATE MALEVOLENCE ON HER PART)

DR. BETTY ADAMS ET AL, &/OR GERRY NAGAHISA ET AL, (NO. 5924) per EXHIBIT "SS"

JAMES KOSHIBA &/OR THE HAWAII BAR ASSOCIATION (NO. 5970) per EXHIBIT "KOK"

STEPHANIE KOKERNAK, (NO. 5943) per EXHIBIT "KKK-X"

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

*including Edward Y.C. Chun et al (No. 5930) per EXHIBIT "EE"

EXHIBIT "X"

CHUN, KERR & DODD
ATTORNEYS AT LAW
14TH FLOOR, AMFAC BUILDING
700 BISHOP STREET
HONOLULU, HAWAII 96813
TELEPHONE (808) 531-6575

EDWARD Y.C. CHUN
GEORGE L.T. KERR
WILLIAM H. DODD

CARROLL S. TAYLOR
PAUL MULLIN GANLEY

WILLIAM W. SAUNDERS
OF COUNSEL

January 7, 1975

Mrs. Janice C. Yee
3169 Alika Avenue
Honolulu, Hawaii 96817

Dear Mrs. Yee:

In accordance with your request in late December, 1975, I transmit herewith on behalf of Mr. Yee, a copy of his 1974 Federal tax return which discloses an adjusted gross income of $54,850.00, which is inclusive of the wages paid by Alfred A. Yee & Associates, Inc. in the amount of $70,500.00, director's fees in the amount of $9,650.00 and the net losses on account of his real property investments.

In respect of his income, please be advised that the records of Alfred A. Yee & Associates, Inc. show that in the months of January and February, Mr. Yee was paid the sum of $6,000.00 each and that during each of the months of March through August, 1974, he was paid $9,000 per month. In September and October, 1974, he was able to draw no salary and in November and December, his gross salary for each of those months was in the amount of $2,250.

In 1975, Mr. Yee was paid by Alfred A. Yee & Associates, Inc. salary in the following amounts: January, $2,250.00; February through June, $3,150.00 per month; July through September, $1,890 per month; October, $3,195.00; November, $4,320; December, $14,417.04. In addition, Mr. Yee in December of 1975, received director's fee in the amount of $2,300.00. In December, Mr. Yee transmitted to you his check in the amount

of $1,850.00 in compliance with the requirements of the Sixth Supplemental Decision and Order.

From September of 1974 until November of 1975, you received support payments in the amount of $1,250.00. In addition, you received in each of those months an additional amount of $350.00 being an installment due on the $80,000 promissory note having an effective date as of July 1, 1975, as well as the sum of $200.00 each in the months of November and December, 1974 and January and February, 1975 in compliance with the orders of the Court.

I trust that the information herewith transmitted is fully in response to your request.

Very truly yours,

CHUN, KERR & DODD

/s/ Edward Y.C. Chun
Edward Y.C. Chun

EYCC:mf
encl.

cc w/encl: Honorable Betty M. Vitousek
cc w/o encl: Mr. Alfred A. Yee

Exhibit "A"
of EXH. "E"

Jan. 22, 1976

SUPREME COURT JUSTICES OF HAWAII
HAWAII SUPREME COURT
HONOLULU, HAWAII

YOUR HONORS,

Can the Justices please order the clerks to file This Motion *for a New Trial and/or In the Alternative, Motion for Relief of Judgement, according to *Rule 59,* (inclusively) specifically *Rule 59(d) of HAWAII'S RULES OF CIVIL PROCEDURE and/or Rule 60(b-1, b-2, b-3, b-4, and b-6), of HAWAII'S RULES OF CIVIL PROCEDURE.*

Will This Court, "of its own initiative" "order a New Trial" and "Direct the entry of a new judgment."

With due Respect for Justice,

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue

Honolulu, Hawaii, 96817

*RE: YEE vs. FRANKLIN, S.C. No. 5949

APPENDIX "C(8-2)"

NO. 5949

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ROBERT FRANKLIN, Defendant-Appellee.	CIVIL NO. 44578 APPEAL FROM THE LOWER COURT'S JUDGEMENT, DATED JULY 16, 1975, NUNC PRO TUNC, JUNE 4, 1975. FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

MOTION FOR NEW TRIAL AND/OR IN THE ALTERNATIVE
MOTION FOR RELIEF FROM ORDER OF JANUARY 12, 1976
DENYING PETITION FOR REHEARING;

Plaintiff-Appellant Pro Se hereby Motions the Supreme Court of Hawaii for a New Trial, according to *Rule 59 of HAWAII'S RULES OF CIVIL PROCEDURE,* to include a Motion for Amendment, according to *Rule 15 of these RULES,* AND/OR, in the Alternative, Motion for Relief from the Order of Jan. 12, 1976, according to *Rule 60(b-1, b-2, b-3, b-4, and b-6)* of *HAWAII'S RULES OF CIVIL PROCEDURE,* against Defendant-Appellee Robert Franklin, as a Malfeasant, Malevolent, Conspirator* or Contributory Conspirator* to be included again in the "Motion to Consolidate Appeals Against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant "Pro Se, for Objection of Denial of this Motion, again on Appeal in Hawaii's Supreme Court.

("motion" only)

APPENDIX "C(11)"

*page 3.

May the Justices of This Court GRANT THESE MOTIONS AND APPEAL FOR PLAINTIFF-APPELLANT PRO SE; and /or of its own initiative, Order a New Trial, according to *Rule 59(d)* of *HAWAII'S RULES OF CIVIL PROCEDURE;* and /or Order Summary Judgement, according to *Rule 56(a) of HAWAII'S RULES OF CIVIL PROCEDURE,* for Plaintiff-Appellant Pro Se, and /or Judgement on the Pleadings, according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE.*

The Jurisdiction of This Court to GRANT THESE MOTIONS AND APPEAL FOR PLAINTIFF-APPELLANT PRO SE, resides on *HAWAII'S SUPREME COURT RULES, Rule 2(d), HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATION, EC7-22; HAWAII'S REVISED STATUTES, Chapter 602-5, Chapter 641-4 and Chapter 641-24, Chapter 490:1-207 and/or Chapter 490:3-606;* AND *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated, January 21, 1976

Honolulu, Hawaii

*Alfred Yee, et al, No. 5930
Edward Chun et al, No. 5903
Robert Hogan et al, No. 5971
Robert Franklin, No. 5949
Harold Nickelsen, et al, No. 5969
Stephanie Kokernak, No. 5943

(Dr.) Betty Adams, et al, & /or
Gerry Nagahisa et al, No. 5924
(Jdg.) Betty Vitousek et al, No. 6008
James Koshiba & /or the Hawaii
Bar Association, No. 5970

*page 2 of "Motion".

APPENDIX "C(8)"

NO. 5971

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	CIVIL NOS. 44240
	)	44244
Plaintiff-Appellant,	)	45123
	)	44262
v.	)	44263
	)	44869
ROBERT G. HOGAN, et al. (NO. 5971)	)	
HAROLD NICKELSEN, et al. (NO. 5969)	)	
BETTY VITOUSEK, Judge, et al. (NO. 6008)	)	MOTION FOR AMENDMENT OF EXHIBITS
JAMES KOSHIBA, et al. (NO. 5970)	)	
GERRY NAGAHISA, et al. (NO. 5924)	)	
STEPHANIE KOKERNAK (NO. 5943),	)	
Defendants-Appellees.	)	

ORDER

FILED
1976 FEB 13 PM 3:47
s/ Clement J. H. Chun
CLERK SUPREME COURT

APPENDIX "C(9)"

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM

JANICE CHING YEE,	)	CIVIL NOS. 44240
	)	44244
Plaintiff-Appellant,	)	45123
	)	44262
v.	)	44263
	)	44869
ROBERT G. HOGAN, et al. (NO. 5971)	)	
HAROLD NICKELSEN, et al. (NO. 5969)	)	
BETTY VITOUSEK, Judge, et al. (NO. 6008)	)	MOTION FOR AMENDMENT OF EXHIBITS
JAMES KOSHIBA, et al. (NO. 5970)	)	
GERRY NAGAHISA, et al. (NO. 5924)	)	
STEPHANIE KOKERNAK (NO. 5943),	)	
Defendants-Appellees.	)	

ORDER

Appellant's Motion for Amendment of Exhibits for Restitution for Damages Suffered by Plaintiff-Appellant Pro Se, filed on January 21, 1976, is denied without argument.

DATED: Honolulu, Hawaii, February 13, 1976.

SEAL

FOR THE COURT:

/s/ William S. Richardson
William S. Richardson
Chief Justice

NO. 5949

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	CIVIL NOS. 44578
	)	44244
Plaintiff-Appellant,	)	45123
	)	44262
v.	)	44263
	)	44869
ROBERT A. FRANKLIN (NO. 5949)	)	44240
HAROLD NICKELSEN, et al. (NO. 5969)	)	
BETTY VITOUSEK, Judge, et al. (NO. 6008)	)	
JAMES KOSHIBA, et al. (NO. 5970)	)	MOTION FOR RECONSIDERATION
GERRY NAGAHISA, et al. (NO. 5924)	)	
STEPHANIE KOKERNAK (NO. 5943)	)	
ROBERT G. HOGAN, et al. (NO. 5971),	)	
Defendants-Appellees.	)	

ORDER

FILED
1976 FEB 13 PM 3 48
s/ Clement J. H. Chun
Clerk Supreme Court

APPENDIX "C(10)"

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE,	)	CIVIL NOS. 44578
	)	44244
Plaintiff-Appellant,	)	45123
	)	44262
v.	)	44263
	)	44869
ROBERT A. FRANKLIN (NO. 5949)	)	44240
HAROLD NICKELSEN, et al. (NO. 5969)	)	
BETTY VITOUSEK, Judge, et al. (NO. 6008)	)	
JAMES KOSHIBA, et al. (NO. 5970)	)	MOTION FOR RECONSIDERATION
GERRY NAGAHISA, et al. (NO. 5924)	)	
STEPHANIE KOKERNAK (NO. 5943)	)	
ROBERT G. HOGAN, et al. (NO 5971),	)	
	)	
Defendants-Appellees.	)	

ORDER

The Court, having considered appellant's "Objection to Order of January 12, 1976, Denying Motion of December 5, 1975; and Motion for Reconsideration of December 5, 1975's 'Motion to Consolidate Appeals, Etc.'", and the attached documents, filed on January 21, 1976, hereby denies appellant's motion for reconsideration.

DATED: Honolulu, Hawaii, February 13, 1976.

SEAL

FOR THE COURT:

/s/ William S. Richardson
William S. Richardson
Chief Justice

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	APPEAL AGAINST THE LOWER COURTS' JUDGEMENTS FOR DENIAL OF REMEDY FOR PLAINTIFF AGAINST CONSPIRATORS* NAMED FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF
vs.	)	
*ROBERT HOGAN, ET AL, NO. 5971	)	CIVIL NO. 44240
*ROBERT FRANKLIN, NO. 5949	)	44578
*HAROLD NICKELSEN, ET AL, NO. 5969	)	44244
*JGE BETTY VITOUSEK, ET AL, NO. 6008	)	45123
*JAMES KOSHIBA &/OR THE *HAWAII BAR ASSOCIATION, NO. 5970	)	44262
*DR. BETTY ADAMS, ET AL, &/OR *GERRY NAGAHISA, ET AL, NO. 5924	)	44263
*STEPHANIE KOKERNAK, NO. 5943	)	44869
Defendant(s)-Appellee(s).	)	

OBJECTION TO ORDERS OF FEBRUARY 13, 1976
DENYING RECONSIDERATION OF THE DEC. 5, 1975
MOTION TO CONSOLIDATE APPEALS, ETC.,
&/OR ORDERS

APPENDIX "C(11)"

DENYING AMENDMENT OF EXHIBITS FOR
RESTITUTION;
MOTION TO ALTER ORDER OF FEBRUARY 13, 1976
OR RETRIAL OF ALL CASES
MEMORANDUMS OF LAW AND ARGUMENTS
IN SUPPORT OF OBJECTION AND MOTION
AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE
(not included)

I hereby certify a copy of this Objection and Motion will be served on:

WILLIAM L. FLEMING, of CADES, SCHUTTE,
FLEMING & WRIGHT, Attorneys for:
HOGAN, OR NICKELSEN OR KOSHIBA, ET AL,
165 South King Street, Hon., Hi., 96813

MAX GARCIA, Attorney for Franklin
Suite 990 Pacific Trade Center
190 S. King Street, Hon., Hi., 96813

STANLEY KANETAKE, Attorney for Kokernak
228 Kuulei Rd., Kailua, Oahu, 96734

RONALD AMEMIYA 694, Attorney General — for Adams
NELSON CHANG 726, Deputy — & Nagahisa

RONALD AMEMIYA 694, Attorney General — for
CEDRIC CHOI 1375, Deputy — Vitousek
HAWAII STATE CAPITOL
415 S. Beretania St. Hon., Hi., 96813

by certified mail
postage prepaid,
this Feb. 17, 1976
/s/ Janice Ching Yee
JANICE CHING YEE
3169 Alika Ave.
Honolulu, Hi.

APPENDIX "C(11)"

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	APPEAL AGAINST THE LOWER COURTS' JUDGEMENTS FOR DENIAL OF REMEDY FOR PLAINTIFF AGAINST CONSPIRATORS* NAMED FOR DEPRIVATION OF INCOME AND LEGAL RIGHTS FOR PLAINTIFF
vs.	)	
*ROBERT HOGAN, ET AL, NO. 5971	)	CIVIL NO. 44240
*ROBERT FRANKLIN, NO. 5949	)	44578
*HAROLD NICKELSEN, ET AL, NO. 5969	)	44244
*JGE BETTY VITOUSEK, ET AL, NO. 6008	)	45123
*JAMES KOSHIBA &/OR THE *HAWAII BAR ASSOCIATION, NO. 5970	)	44262
*DR. BETTY ADAMS, ET AL, &/OR *GERRY NAGAHISA, ET AL, NO. 5924	)	44263
*STEPHANIE KOKERNAK, NO. 5943	)	44869
Defendant(s)-Appellee(s).	)	

OBJECTION TO ORDERS OF FEBRUARY 13, 1976
DENYING RECONSIDERATION OF THE DEC. 5, 1975
MOTION TO CONSOLIDATE APPEALS, ETC.,
&/OR ORDERS
DENYING AMENDMENT OF EXHIBITS FOR
RESTITUTION
MOTION TO ALTER ORDER OF 2/13/76 OR RETRIAL

Plaintiff-Appellant Pro Se hereby Objects to the Order of February 13, 1976, denying "Reconsideration of the Motion to Consolidate Appeals Against Conspiracy" filed December 5, 1975, whereby this Motion was denied Due Process of a Hearing, in accordance to *Rule 6, of HAWAII'S SUPREME COURT RULES.*

Plaintiff-Appellant Pro Se hereby also Motions This Court to Alter the Order of February 13, 1976, to include a Hearing to Argue the feasibility of "Consolidation of Appeals Against Conspiracy" of Conspirators*, all named in the title as Defendants-Appellees; *OR*, This Court can, of its own initiative,Order a Retrial for all of the titled cases, named for the Consolidation, according to *Rule 59(d) of HAWAII'S RULES OF CIVIL PROCEDURE.* Upon initiative of the Court, if it finds *Chapter 490:1-207* and/or *Chapter 490:3-606 of HAWAII'S REVISED STATUTES* should be deleted for it does not apply for Plaintiff-Appellant Pro Se's good, may it be excused and deleted, according to *Rule 60(b-1) of HAWAII'S RULES OF CIVIL PROCEDURE,* for inadvertant excusable mistakes.

The Jurisdiction of This Court to Hear and GRANT THIS MOTION AND/OR APPEAL, resides on *HAWAII'S REVISED STATUTES, Chapter 602-5, Chapter 605-2, Chapter 641-4, Chapter 641-24* and/or *Chapter 634-27; HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73, Rule 59(d) or Rule 59(e); HAWAII'S SUPREME COURT RULES, Rule 1(a) (1), Rule 2(d), Rule 6, and Rule 16.2(a)* AND/OR *HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 or EC7-21.* AND/OR *THE UNITED STATES CONSTITUTION.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated, February 16, 1976.

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	MEMORANDUM AND ARGUMENT IN SUPPORT OF OBJECTION AND MOTION
vs.	)	
*ROBERT HOGAN, ET AL, NO. 5971	)	CIVIL NO. 44240
*ROBERT FRANKLIN, NO. 5949	)	44578
*HAROLD NICKELSEN, ET AL, NO. 5969	)	44244
*JDG. BETTY VITOUSEK, ET AL, NO. 6008	)	45123
*JAMES KOSHIBA, &/OR THE *HAWAII BAR ASSOCIATION, NO. 5970	)	44262
*DR. BETTY ADAMS, ET AL, &/OR *GERRY NAGAHISA, ET AL, NO. 5924	)	44263
*STEPHANIE KOKERNAK, NO. 5943	)	44869
Defendant(s)-Appellee(s).	)	

MEMORANDUMS OF LAW AND ARGUMENTS
IN SUPPORT OF OBJECTION AND MOTION

Plaintiff-Appellant Pro Se hereby Objects to the Order of February 13, 1976, denying "Reconsideration of the Motion to Consolidate Appeals Against Conspiracy", filed December 5, 1975, whereby this Motion was denied "Due Process" of a Hearing, in accordance to *Rule 6 of HAWAII'S SUPREME COURT RULES.*

Plaintiff-Appellant Pro Se hereby Motions This Court to Alter the Order of February 13, 1976, to include a Hearing to Ar-

gue the feasibility of Consolidation of Appeals Against the Conspirators* named in the title, as Defendants-Appellees. OR, This Court can, of its own initiative and direction, Order a Retrial of all cases, according to *Rule 59(d) of HAWAII'S RULES OF CIVIL PROCEDURE.* May this not delay the cases, but instead help This Court to Review the cases and thereby make a faster determination for a fast Judgement on the Pleadings, unhampered by technical restrictions, after all, so the Justices can Judge on the merits and/or Reasons of the Pleadings.

Also, upon initiative of This Court, if it finds *Chapter 490: 1-207 and/or Chapter 490:3-606 of HAWAII'S REVISED STATUTES* should be deleted, for it does not apply for Plaintiff-Appellant Pro Se's good, may it be excused according to *Rule 60(b-1) of HAWAII'S RULES OF CIVIL PROCEDURE,* for this excusable inadvertant mistake, whereby the intent of Plaintiff-Appellant Pro Se was to find a rule to apply for Reservation of Rights for payment of moneys to Plaintiff-Appellant Pro Se, without prejudice to Appellees, after all Appellant didn't intend to perjure.

As mentioned and Motioned earlier, for each Defendant(s) Appellee(s) to be considered as part and parcel of the cases for Consolidation of Appeals Against Conspiracy thereby making it possible to delete Robert Franklin, should the Court feel it cannot Grant a Retrial for Robert Franklin. If This Court CAN GRANT THE "MOTION FOR RETRIAL" against Robert Franklin, as the "Motion" was presented to the Court on January 21, 1976, not filed, consequently presented again by way of a formal objection on January 22, 1976, for the Court to Order Filing of the "Motion", PLEASE DO SO.

This way then does not deny Justice for Plaintiff-Appellant Pro Se against the other Defendants-Appellees of the Consolidation of Appeals Against Their Conspiracy, which can be feasibly encompassed and/or adjudicated or adjudged.

If the Court can include Robert Franklin, then please also include him in the Motion for "Amendment of Exhibits for Restitution for Plaintiff-Appellant Pro Se, all of which can be considered, and can the Court please do so, for conformity to the evidence for Plaintiff-Appellant Pro Se, who does not perjure.

IN CONCLUSION and in reiteration, according to *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 59(d),* Hawaii's Supreme Court, of its own initiative, can order a new trial or new judgement for Plaintiff-Appellant Pro Se, for faster determination of these cases, once consolidated, for faster organization and comprehension of the whole picture for these cases can be seen.

OR, according to *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 59(e),* This Court can Alter the Order of February 13, 1976, to schedule and include a Hearing on the feasibility of Consolidation of these cases for a faster determination of all cases; and/or Order a New Judgement on the Pleadings for Plaintiff-Appellant Pro Se, who thanks This Court to remember all previous pleadings as pertinent and as part and parcel of these cases for Consolidation and thereby for a New Judgement for Plaintiff-Appellant Pro Se.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated, February 16, 1976.

Dated, February 16, 1976.

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 44263
vs.	)	APPEAL FROM THE ORDER FILED MAY 7, 1975, DENYING MOTION FOR RETRIAL FOR PLAINTIFF; MOTION TO AMEND COMPLAINT; AND MOTION FOR SUMMARY JUDGEMENT FOR PLAINTIFF
GERRY NAGAHISA, Social Worker, and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT of the FIRST CIRCUIT AND/OR BETTY ADAMS, Psychiatrist, and/or the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants-Appellees.	)	FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

OBJECTION TO ORDER OF FEBRUARY 13, 1976, DENYING MOTION FOR RELIEF, ETC. AND/OR MOTION TO AMEND OPENING BRIEF; AND/OR DENYING MOTION FOR SUMMARY JUDGEMENT AND/OR JUDGEMENT ON PLEADINGS; MOTION FOR RECONSIDERATION OF MOTION TO AMEND OPENING BRIEF MEMORANDUMS AND ARGUMENTS IN SUPPORT OF OBJECTION AND MOTION; AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

APPENDIX "C(13)"

I hereby certify a copy of this Objection and Motion will be served on Attorney General & Deputy:
RONALD AMEMIYA 694
NELSON CHANG 726
for: ADAMS ET AL &/OR NAGAHISA ET AL
Defendants-Appellees
State Capitol Building
415 S. Beretania Street
Honolulu, Hawaii

by certified mail, postage prepaid,
once filed, this 17th day of
February, 1976.

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

APPENDIX "C(13)"

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 44263
vs.	)	APPEAL FROM THE ORDER, FILED MAY 7, 1975, DENYING MOTION FOR RETRIAL FOR PLAINTIFF; MOTION TO AMEND COMPLAINT; AND MOTION FOR SUMMARY JUDGEMENT FOR PLAINTIFF
GERRY NAGAHISA, Social Worker, and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT of the FIRST CIRCUIT AND/OR BETTY ADAMS, Psychiatrist, and/or the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants-Appellees.	)	FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

OBJECTION TO ORDER OF FEBRUARY 13, 1976, DENYING MOTION FOR RELIEF, ETC. AND/OR MOTION TO AMEND OPENING BRIEF; AND/OR DENYING MOTION FOR SUMMARY JUDGEMENT AND/OR JUDGEMENT ON PLEADINGS; MOTION FOR RECONSIDERATION OF MOTION TO AMEND OPENING BRIEF

Plaintiff-Appellant Pro Se hereby OBJECTS TO THE ORDER of February 13, 1976, denying Plaintiff-Appellant Pro Se's "Motion for Relief, etc." AND/OR "Motion to Amend Opening Brief"; AND/OR OBJECTS TO THE ORDER denying "Motion for Summary Judgement and/or Judgement on the Pleadings" for Plaintiff-Appellant Pro Se.

Plaintiff-Appellant Pro Se hereby also MOTIONS for Reconsideration of "Motion to Amend Opening Brief".

The Jurisdiction of This Court to GRANT THIS APPEAL and/or MOTION, resides on *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73, Rule 60(b-1), and Rule 59(d) or Rule 59(e)* for Alteration of its Judgement for Plaintiff-Appellant Pro Se, also for HAWAII'S *REVISED STATUTES, Chapter 605-2, Chapter 602-5, Chapter 641-4* and/or *Chapter 641-24;* AND/OR *HAWAII'S SUPREME COURT RULES.* Rule 1(a)-(1) and 16.2(a) and/or Rule 6(b), AGAINST DEFENDANTS-APPELLEES, WHO DEFAULTED ALL OF THE MOTIONS FILED ON JAN. 19, 1976; AND/OR *HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY's ETHICAL CONSIDERATIONS' EC7-22 and EC7-21;* AND/OR *THE UNITED STATES CONSTITUTION.*+

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated, February 16, 1976.

+ENCYCLOPEDIA OF BRITTANICA (vol. 6) page 501-507.

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 44263
vs.	)	MEMORANDUMS AND ARGUMENTS IN SUPPORT OF OBJECTION AND MOTIONS
GERRY NAGAHISA, et al. AND/OR BETTY ADAMS, et al, Defendants-Appellees.	)	

MEMORANDUMS AND ARGUMENTS
IN SUPPORT OF OBJECTION AND MOTION

Plaintiff-Appellant Pro Se hereby OBJECTS to the Order of February 13, 1976, denying Appellant Pro Se's "Motion for Relief, etc." and/or "Motion to Amend Opening Brief"; and/or denying "Motion for Summary Judgement and/or Judgement on the Pleadings" AND/OR MOTIONS for Reconsideration of "Motion to Amend Opening Brief". AGAINST APPELLEES WHO DEFAULTED THIS!

Plaintiff-Appellant Pro Se hereby in particular, asks for Reconsideration of Plaintiff-Appellant Pro Se's Motion to Amend Opening Brief, filed January 19, 1976, so the Court does not Violate my *American Constitutional Rights,*+ specifically the *First Amendment* for Freedom, for Life, Liberty, Religion, Speech, Press, and Petition against Prejudiced Persecution of Legal Rights for Plaintiff-Appellant Pro Se to Amend Plaintiff-Appellant Pro Se's Opening Brief to conform to the evidence for Plaintiff-Appellant, so same Appellant Pro Se does not lose the Appeal against the lower Circuit Court's Prejudiced Judicial Persecution of Plaintiff-Appellant Pro Se's case against the Defendants-Appellees, who were in Violation of Plaintiff-Appellant Pro Se's *American Constitutional Rights*+ for the *Fourth Amendment* against the "false arrest" ex-"guardian ad litem" or "trustee" orders, insinuating and coercing incompetancy of a good capable American woman as Plaintiff-Appellant Pro Se without "Due Process of Law" against non-notification of, or hearing by immediate family members, as according to Law, prior to these Orders, as discussed previously. These "false arrest" Orders were caused by Perjured Defamatory Dr. Betty Adams, et al's "severe chronic mental illness" report and/or Gerry Nagahisa, et al's "behavior does not relate to the children" report, which were in Violation of Appellant's +*American Constitutional Rights' Twenty-seventh Amendment* for Equal Rights, where all women should be treated equally. How many other women were treated this way? They are hereby invited to join this suit against villains as Dr. Adams, et al, and/or Nagahisa, et al, who would perjure to set a bad precedent to deprive women of Rights of Custody of the Children and Rights to Income we once worked hard and earned not collecting, thinking it was collectible in the future of our late years, not wanting to wake up around age 46 to find ourselves working from 6 a.m. in the morning to midnight at least six days of the week, until it is almost impossible to get up. All this for the satisfaction of sadistic animals as our ex-husbands or Adams, et al, and/or Nagahisa, et al, and/or other sadists for Contributory Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for a capable woman as Plaintiff-Appellant Pro Se.

This Court can set a precedent for itself and GRANT SUMMARY JUDGEMENT, OR This Court can GRANT JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF PRO SE FOR RESTITUTION for the suffering of Plaintiff-Appellant Pro Se against these thirty-six (36) or so months of mental torture, caused by the Perjured Defamatory Reports which Nagahisa, et al, and/or Adams, et al, perpetrated for the "Conspiracy" of "Conspirators", which having been mentioned before, won't be reiterated, but was caused in part by Nagahisa, et al's &/or Adams, et al's WRONG for the future of good women of America and for Hawaii as part of America.

May Plaintiff-Appellant Pro Se's Opening Brief be amended, according to *Rule 60(b-1) of HAWAII'S RULES OF CIVIL PROCEDURE,* and/or in accordance to *Rule 59(d) or Rule*

+ENCYCLOPEDIA OF BRITTANICA (vol. 6) page 501-507.

59(e) of These RULES, AND/OR *Chapter 641-4 and/or Chapter 641-24 of HAWAII'S REVISED STATUTES*, for initiative and new direction of Hawaii's Supreme Court, who can be challenged, according to *HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 and EC7-21*, &/OR *THE U.S. CONSTITUTION*.

Most of this has been pled before, for fact, and Plaintiff-Appellant Pro Se hereby asks This Court to again consider all Memorandums, Arguments, and/or Exhibits as part and parcel of all pleadings for Plaintiff-Appellant Pro Se, who hereby prays This Court can see the way clear to GRANT PLAINTIFF APPELLANT PRO SE'S MOTION AND/OR APPEAL FOR JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF APPELLANT PRO SE, who hereby does thank THIS COURT for its time.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated, February 16, 1976.

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. GERRY NAGAHISA, ET AL., and/or BETTY ADAMS, ET AL, Defendants-Appellees.	CIVIL NO. 44263 AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I am Mrs. Janice Ching Yee, Plaintiff-Appellant Pro Se, of 3169 Alika Avenue of Honolulu, Hawaii, (96817), and being duly sworn and under oath, swear, and affirm that all of my "unprofessional" Legal Pleadings are pled in good faith and/or with good intentions, for I never intended perjury and/or frivolity for delay.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Subscribed and sworn to before me

this 17th day of February, 1976.

/s/ Anne Osenburg
Notary Public, First Judicial

Circuit, State of Hawaii

My commission expires: OCT 15 1979

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, PLAINTIFF-APPELLANT PRO SE,	)	CIVIL NO. 45123
vs.	)	APPEAL AGAINST THE ORDER GRANTING MOTION TO DISMISS FOR DEFENDANTS, FILED AUGUST 28, 1975
BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, DEFENDANTS-APPELLEES.	)	FIRST CIRCUIT COURT Honorable Harold Shintaku Judge

OBJECTION TO ORDER OF FEBRUARY 13, 1976, DENYING MOTION TO AMEND OPENING BRIEF; MOTION FOR SUMMARY JUDGEMENT AND/OR JUDGEMENT ON THE PLEADINGS FOR APPELLANT PRO SE; MOTION FOR RECONSIDERATION OF MOTION TO AMEND OPENING BRIEF MEMORANDUMS AND ARGUMENTS IN SUPPORT OF OBJECTION AND MOTION; AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I hereby certify a copy of this Objection and
Motion will be served on Attorney General & Deputy:
RONALD AMEMIYA 694
CEDRIC CHOI 1375
for: VITOUSEK, ET AL
Defendants-Appellees
State Capitol Building
415 S. Beretania Street
Honolulu, Hawaii

APPENDIX "C(14)"

by certified mail, postage prepaid,
once filed, this February 17, 1976.

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

APPENDIX "C(14)"

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff- Appellant Pro Se, vs. BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, Defendants-Appellees.	)	CIVIL NO. 45123 APPEAL AGAINST THE ORDER GRANTING MOTION TO DISMISS FOR DEFENDANTS, FILED AUGUST 28, 1975. FIRST CIRCUIT COURT Honorable Harold Shintaku Judge

OBJECTION TO ORDER OF FEBRUARY 13, 1976, DENYING MOTION TO AMEND OPENING BRIEF; MOTION FOR SUMMARY JUDGEMENT AND/OR JUDGEMENT ON THE PLEADINGS FOR APPELLANT PRO SE; MOTION FOR RECONSIDERATION OF MOTION TO AMEND OPENING BRIEF

Plaintiff-Appellant Pro Se hereby OBJECTS to the February 13, 1976 Order's Denial of "Motion to Amend Opening Brief" for Plaintiff-Appellant Pro Se, AND/OR OBJECTS TO THE ORDER Denying "Summary Judgement and/or Judgement on the Pleadings" for Plaintiff-Appellant Pro Se, who hereby also MOTIONS FOR RECONSIDERATION of Appellant's Motion to Amend Opening Brief.

The Jurisdiction of This Court to GRANT THIS APPEAL AND/OR MOTION resides on *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73, Rule 60(b-1) and/or Rule 59(d) or 59(e)* for Alteration of the Court's Judgement for Plaintiff-Appellant Pro Se, also for *HAWAII'S REVISED STATUTES, Chapter 605-2, Chapter 602-5,* and/or *Chapter 641-4 and/or 641-24; AND/OR HAWAII'S SUPREME COURT RULES, Rule 1(a)(1) and Rule 16.2(a) AND/OR HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 and EC7-21.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated, February 16, 1976.

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1976

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 45123
vs.	)	APPEAL AGAINST THE ORDER GRANTING MOTION TO DISMISS FOR DEFENDANTS, FILED AUGUST 28, 1975.
BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, Defendants-Appellees.	)	FIRST CIRCUIT COURT Honorable Harold Shintaku Judge

MEMORANDUMS AND ARGUMENTS
IN SUPPORT OF OBJECTION AND MOTION

Plaintiff-Appellant Pro Se hereby OBJECTS TO THE ORDER of February 13, 1976, denying Appellant Pro Se's "Motion to Amend Opening Brief"; AND/OR denying "Motion for Summary Judgement and/or Judgement on the Pleadings" for Plaintiff-Appellant Pro Se.

Plaintiff-Appellant Pro Se hereby also Motions and asks for Reconsideration of "Motion to Amend Opening Brief", filed February 2, 1976, so the Court does not Violate my *AMERICAN CONSTITUTIONAL RIGHTS*+, specifically the *First Amendment* for Freedom, for Life, Liberty, Religion, Speech, Press, and Petition against Prejudiced Persecution of Plaintiff-Appellant Pro Se's Legal Rights to Amend Plaintiff-Appellant's Opening Brief to conform to the evidence for Plaintiff-Appellant Pro Se, so same Appellant Pro Se does not lose the Appeal against the lower Circuit Court's Prejudiced Judicial Persecution of Plaintiff-Appellant's case against the Defendants-Appellees, who were in Violation of Plaintiff-Appellant Pro Se's *AMERICAN CONSTITUTIONAL RIGHTS*+ and its *Fourth Amendment* against the "false arrest" ex-"guardian ad litem" or "trustee" orders, insinuating and coercing incompetency of a good capable American woman as Plaintiff-Appellant Pro Se Janice Ching Yee, without "Due Process of Law" against non-notification of, or hearing by immediate family members, as according to Law, prior to these Orders, as discussed previously. These "false arrest" Orders by vacillatory Judge Betty Vitousek, was caused by Vitousek's acceptance of Perjured Testimony by Dr. Betty Adams, et al's Defamatory "severe chronic mental illness" report and/or Gerry Nagahisa, et al's "behavior does not relate to the children", false testimony, which were in Violation of Plaintiff-Appellant's *AMERICAN CONSTITUTIONAL RIGHTS*'+ *Twenty-seventh Amendment* for Equal Rights, where all American women should be treated equally. How many other women were treated this way? They are hereby invited to join this suit against Villainous Judge Betty Vitousek et al, OR Dr. Betty Adams, et al, and/or Social Worker Nagahisa et al, who would perjure to set a bad precedent to deprive a good woman of Rights of Custody of the Children and Rights to Income we once worked hard and earned, not collecting, thinking it was collectible in the future of our late years, not wanting to wake up around age 46 to find ourselves working from 6 a.m. in the morning to midnight at least six days of the week, until it is almost impossible to get up. All this for the satisfaction of sadistic animals as our ex-husbands or Vitousek and her ex-"guardian ad litem" or Adams, et al, and/or Nagahisa, et al, and/or other sadists for Contributory Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for a capable American woman as Plaintiff-Appellant Pro Se, doesn't seem fair, does it?

This was and is Vitousek's Coerced Destruction by Coerced Destitution and Coerced Ignominy by Coerced Defamation, Libel, and Slander by Coerced Incompetency, adjudicated by Judge Betty Vitousek, et al, Defendants-Appellees.

Therefore, This Court can set a precedent for itself and GRANT SUMMARY JUDGEMENT, OR, This Court can set a precedent for itself and GRANT AND ORDER JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF-APPELLANT PRO SE FOR RESTITUTION FOR MONETARY CLAIMS FOR MERITS OF DAMAGES SUFFERED, by

+*ENCYCLOPEDIA OF BRITTANICA, (vol. 6), page 501-507.*

+page 1.

Plaintiff-Appellant Pro Se against these past thirty-six (36) months since the Final Absolute Divorce Decree, and/or fifty-two months terror since initial divorce action, not including the torture previous to the final coercion of divorce action.

This was caused mainly by Judge Betty Vitousek et al, Defendants-Appellees' Impropriety and Malfeasance whereby Vitousek's Conflict accepted Perjured and False Testimony for Vitousek's Prejudiced Judicial Persecution of Plaintiff-Appellant Pro Se, against This Judge Betty Vitousek, et al, Defendants-Appellees, who was and is still WRONG for the future of good women of America for Hawaii as part of America.

May Plaintiff-Appellant Pro Se's Opening Brief be amended, according to *Rule 60(b-1) of HAWAII'S RULES OF CIVIL PROCEDURE*, and/or in accordance to *Rule 59(d) or Rule 59(e) of These RULES*, AND/OR *Chapter 641-4 and/or Chapter 641-24 of HAWAII'S REVISED STATUTES*, for initiative and new direction of Hawaii's Supreme Court, who can be challenged, according to *HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 and EC7-21.*

Most of this has been pled before, for fact, and Plaintiff-Appellant Pro Se Hereby asks This Court to again consider all Memorandums of Law, Arguments, and/or Exhibits as part and parcel of all pleadings for Plaintiff-Appellant Pro Se, who hereby prays This Court can see the way clear to GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL for Plaintiff-Appellant Pro Se, who hereby does thank Hawaii's Supreme Court for its time.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated: February 16, 1976.

(AFFIDAVIT NOT INCLUDED)

NO. 5943

IN THE SUPREME COURT OF THE STATE OF HAWAII.

OCTOBER TERM 1975.

TO: MRS. JANICE CHING YEE, 3169 Alika Avenue, Honolulu, Hawaii 96817—Plaintiff-Appellant, Pro Se.

MR. STANLEY T. KANETAKE, Attorney at Law, 228 Kuulei Road, Kailua, Hawaii 96734—Attorney for Defendant-Appellee.

PLEASE TAKE NOTICE THAT CASE NO. 5943, **entitled:** JANICE CHING YEE, Plaintiff-Appellant v. STEPHANIE KOKERNAK, Defendant-Appellee, *the* *MOTION TO DISMISS OR TO AFFIRM JUDGEMENT*, filed Feb. 26, 1976 **has been set for argument in the Supreme Court in the Judiciary Building, Honolulu, Hawaii, on** TUESDAY, MARCH 9, 1976, at 9:00 A.M.

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE, IN WRITING.

/s/ Edward Suzuki
Edward Suzuki
CLERK

DATE: March 2, 1976

APPENDIX "D(1)(a)"

March 4, 1976

SUPREME COURT OF HAWAII
HONOLULU, HAWAII

RE: *S.C. 5943*

YOUR HONORS,

Notice of Hearing for case S.C. 5943, scheduled for March 9, 1976, 9 a.m. was received March 3, 1976.

This Hearing will be for S.C. 5943, for Janice Ching Yee Plaintiff-Appellant Pro Se vs. Defendant Appellee Stephanie Kokernak for argument of:

1) "Motion to Dismiss or Affirm Judgement", filed Feb. 26, 1976, and received Saturday, Feb. 28, 1976 at Kapalama Post Office.
2) "Objection to Motion to Dismiss or Affirm Judgement; AND/OR Motion to Strike; AND/OR Motion to Grant Amendment of Opening Brief, etc.", filed March 4, 1976.
3) "Motion to Consolidate Appeals against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant; Motion for Judgement on the Pleadings;" filed Dec. 5, 1975.
4) "Motion for Judgement on the Pleadings for Plaintiff-Appellant Pro Se", dated December 22, 1975, and letter of December 23, 1975 to the Justices to Order filing of this Motion against the DEFAULT OF THE DEFENDANTS-APPELLEES, was refused filing the clerks by sanction of the Court or clerks, who were in Conflict for Violation of Legal Rights for Plaintiff-Appellant Pro Se against the clerks or "the Court" for Conflict for Coercion for Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, for filing of Motion for "Judgement on the Pleadings", according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE*, and/or Summary Judgement, according to *Rule 56(a) and Rule 12(c)*.
5) "Objection to Orders of Feb. 13, 1976, Denying Reconsideration of the Dec. 5, 1975 "Motion to Consolidate Appeals, etc.; Motion to Alter Order of Feb. 13, 1976, etc.", dated Feb. 17, 1976, was refused filing by "the Court" (on March 1, 1976) or clerks, who were in Conflict again for Violation for Non-assertion of Legal Rights for

APPENDIX "D(2)(a)"

Plaintiff-Appellant Pro Se, who can Object against This Violation, whereof Objections and Motions to Alter Orders, can be filed for proper Appeal for Plaintiff-Appellant Pro Se. Confirmation of good intention of same Appellant Pro Se per Good True Record for intent for proper procedure can be witnessed by the certification of copies to Defendants-Appellees.

NOTICE OF THIS HEARING IS HEREBY ACKNOWLEDGED.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

NO. 5971
IN THE SUPREME COURT OF THE STATE OF HAWAII,

OCTOBER TERM 1975

TO: MRS. JANICE CHING YEE, 3169 Alika Avenue, Honolulu, Hawaii 96813—Plaintiff-Appellant, Pro se.

MR. WILLIAM L. FLEMING AND MR. EDWARD deLAPPE BOYLE (Cades, Schutte, Fleming & Wright), First Haw'n Bank Bldg., 165 S. King Street, Honolulu, Hi. 96813—Attorneys for Defendants-Appellees.

PLEASE TAKE NOTICE THAT CASE NO. 5971, **entitled:** JANICE CHING Yee, Plaintiff-Appellant v. ROBERT G. HOGAN, and/or HOGAN, ROTHER, GRIME & BYEE, Attorneys, Defendants-Appellees,

the

MOTION TO DISMISS THE APPEAL OR IN THE ALTERNATIVE TO STRIKE THE OPENING BRIEF, filed Dec. 17, 1975,

has been set for argument in the Supreme Court in the Judiciary Building, Honolulu, Hawaii, on TUESDAY, MARCH 9, 1976, at 9:00, A.M.

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE, IN WRITING.

/s/ Edward Suzuki
Edward Suzuki
CLERK

DATE: March 2, 1976

APPENDIX "D(1)(b)"

March 4, 1976

SUPREME COURT OF HAWAII
HONOLULU, HAWAII

RE: *S.C. 5971*

YOUR HONORS,

Notice of Hearing for case S.C. 5971, scheduled for March 9, 9 a.m.

This Hearing will be for S.C. 5971, for Janice Ching Yee Plaintiff-Appellant Pro Se, vs. Defendants-Appellees, Robert Hogan, et al, for argument of:

1) "Motion to Dismiss", filed Dec. 17, 1975.
2) "Objection to Motion to Dismiss the Appeal and Objection to Motion to Strike Opening Brief;", filed December 23, 1975.
3) "Motion to Consolidate Appeals against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant; Motion for Judgement on the Pleadings;", filed December 5, 1975.
4) "Motion for Judgement on the Pleadings for Plaintiff-Appellant Pro Se", dated December 22, 1975, and letter December 23, 1975 to the Justices to Order, filing of this Motion against the DEFAULT OF THE DEFENDANTS-APPELLEES, was refused filing by the clerks by sanction of the Court of Clerks, who were in Conflict for Coercion for Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, for filing of Motion for "Judgement on the Pleadings", according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE,* and/or Summary Judgement, according to *Rule 56(a) and Rule 12(c).*
6) "Objection to Orders of February 13, 1976, Denying Reconsideration of the Dec. 5, 1975, "Motion to Consolidate Appeals, etc.; Motion to Alter Order of Feb. 13, 1976, etc.", dated Feb. 17, 1976, was refused filing by "the Court" (on March 1, 1976) or clerks, who were in Conflict again for Violation whereof Objections and Motions to Alter Order, can be filed for proper Appeal for Plaintiff-Appellant Pro Se, Confirmation of good intentions of same Appellant Pro Se per Good True Record for intent for

APPENDIX "D(2)(b)"

proper procedure, can be witnessed by the certification of copies to Defendants-Appellees.

NOTICE OF THIS HEARING IS HEREBY ACKNOWLEDGED.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII.

OCTOBER TERM 1975

TO: MRS. JANICE CHING YEE, 3169 Alika Avenue, Honolulu, Hawaii 96817—Plaintiff-Appellant, Pro se.

HONORABLE RONALD Y. AMEMIYA, Attorney General and MR. CEDRIC CHOI, Deputy Attorney General, Hawaii State Capitol, 415 S. Beretania Street, Honolulu, Hi. 96813—Attorneys for Defendants-Appellees

PLEASE TAKE NOTICE THAT CASE NO. 6008, **entitled:** JANICE CHING YEE, Plaintiff-Appellant v. BETTY VITOUSEK, Judge, and/or the FAMILY COURT OF THE FIRST CIRCUIT OF THE STATE OF HAWAII, Defendants-Appellees,

the

MOTION TO AFFIRM AND ALTERNATIVE MOTION TO DISMISS AND A FURTHER ALTERNATIVE MOTION FOR EXTENSION OF TIME TO FILE AN ANSWERING BRIEF, filed Jan. 23, 1976; and MOTION TO STRIKE DEFENDANTS-APPELLEES MOTIONS *OF JAN. 23, 1976, filed Feb. 2, 1976*

have been set for argument in the Supreme Court in the Judiciary Building, Honolulu, Hawaii on TUESDAY, MARCH 9, 1976, at 9:00 A.M.

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE IN WRITING.

/s/ Edward K. Suzuki
Edward K. Suzuki
CLERK

DATE: March 2, 1976

APPENDIX "D(1)(c)"

March 4, 1976

SUPREME COURT OF HAWAII
HONOLULU, HAWAII

RE: *S.C. 6008*

YOUR HONORS,

Notice of Hearing for case S.C. 6008, scheduled for March 9, 1976, 9 a.m., was received on March 3, 1976.

This Hearing will be for S.C. 6008, for Janice Ching Yee Plaintiff-Appellant Pro Se, vs. Defendants-Appellees, Judge B. Vitousek, et al, for argument of:

1) "Motion to Affirm, filed Friday 1/23/76, and received Monday, 1/26/76.
2) "Motion to Strike Defendants-Appellees' Motion of 1/23/76", filed Monday Feb. 2, 1976, being as the fifth day was Saturday, 1/31/76.
3) "Objection to Order of Feb. 13, 1976, Denying Motion to Amend Opening Brief; Motion for Summary Judgement and/or Judgement on the Pleadings etc."; Motion for Reconsideration of Motion to Amend Opening Brief", etc., dated Feb. 17, 1976, was refused filing by "the Court" (March 1, 1976). This act by "the Court" or clerks was Illegal Conflict for Violation of my Legal Rights to Object to the Order of Feb. 13, 1976, and Motion to Amend and/or Motion for Reconsideration. This was also Conflict by the clerks or "the Court" for Coercion for Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se. Conformation of preparation of this Objection and Motion for Reconsideration, can be witnessed by the receipt for certified mail of copies to Defendants-Appellees on Feb. 17, 1976.
4) "Motion for Consolidate Appeals against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant; Motion for Judgement on the Pleadings;" filed Dec. 5, 1975.
5) "Motion for Judgement on the Pleadings for Plaintiff-Appellant Pro Se", dated Dec. 22, 1975, and letter of Dec. 23, 1975, to the Justices to Order filing of this Motion against the DEFAULT OF THE DEFENDANTS-APPELLES, was refused filing the clerks by sanction of "the Court" or clerks, who were in Conflict for Violation of Legal Rights for Plaintiff-Appellant Pro Se against the clerks or "the Court" for Conflict for Coercion for Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, for filing of Motion for "Judgement on the Pleadings", according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE,* and/or Summary Judgement, according to *Rule 56(a) and Rule 12(c).*
6) "Objection to Orders of Feb. 13, 1976, Denying Reconsideration of the Dec. 5, 1976, Motion to Consolidate Appeals, etc.; Motion to Alter Order of Feb. 13 1976, etc." dated Feb. 17, 1976, was refused filing by "the Court" (on March 1, 1976) or clerks, who were in Conflict again for Violation for Non-assertion of Legal Rights For Plaintiff-Appellant Pro Se, who can Object against This violation, whereof Objections and Motions to Alter Order, can be filed for proper Appeal for Plaintiff-Appellant Pro Se, Confirmation of good intent of same Appellant Pro Se per Good True Record for Appellant's Intention for Proper Procedure, can be witnessed by the certification of copies to Defendants-Appellees.

NOTICE OF THIS HEARING IS HEREBY ACKNOWLEDGED.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
3169 Alika Avenue
Honolulu, Hawaii 96817

APPENDIX "D(2)(c)"

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII,

OCTOBER TERM 1975

TO: MRS. JANICE CHING YEE, 3169 Alika Avenue, Honolulu, Hawaii 96817—Plaintiff-Appellant, Pro se.

HONORABLE RONALD Y. AMEMIYA, Attorney General and MR. CHARLES F. FELL, Deputy Attorney General, Hawaii State Capitol, 415 S. Beretania Street, Honolulu, Hi, 96813—Attorneys for Defendants-Appellees.

PLEASE TAKE NOTICE THAT CASE NO. 5924, **entitled:** JANICE CHING YEE, Plaintiff-Appellant v. GERRY NAGAHISA, social worker, and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT of the FIRST CIRCUIT and/or BETTY ADAMS, Psychiatrist, and/or the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants-Appellees,

the
MOTION TO DISMISS, filed Jan. 29, 1976, and
MOTION TO STRIKE DEFENDANTS-APPELLEES' MOTION TO DISMISS, filed Feb. 4, 1976

have been set for argument in the Supreme Court in the Judiciary Building, Honolulu, Hawaii on TUESDAY, MARCH 9, 1976, at 9:00 A.M.

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE, IN WRITING.

/s/ Edward Suzuki
Edward Suzuki
CLERK

DATE: March 2, 1976

APPENDIX "D(1)(d)"

March 4, 1976

SUPREME COURT OF HAWAII
HONOLULU, HAWAII

RE: *S.C. 5924*

YOUR HONORS,

Notice of Hearing for case S.C. 5924, scheduled for March 9, 9 a.m. was received March 5, 1976.

This Hearing will be for S.C. 5924, for Janice Ching Yee, Plaintiff-Appellant Pro Se, vs. Defendants-Appellees, Betty Adams, et al, and/or Gerry Nagahisa, et al, for argument of:

1) "Motion to Dismiss", filed Jan. 29, 1976.
2) "Motion to Strike Defendants-Appellees' Motion to Dismiss; Motion for Summary Judgement for Plaintiff-Appellant and/or Judgement on the Pleadings, etc." filed February 4, 1976, AGAINST APPELLEES' DEFAULT.
3) "Objection to Order of Feb. 13, 1976, Denying Motion for Relief, etc., and/or Motion to Amend Opening Brief; AND /OR Denying Motion for Summary Judgement and/or Judgement on the Pleadings;" AGAINST APPELLEES' DEFAULT; "Motion for Reconsideration of Motion to Amend Opening Brief", etc., dated Feb. 17, 1976, was refused filing by "the court" (March 1, 1976). This act by "the Court" or clerks was Illegal Conflict for Violation of my Legal Rights to Object to the Order of February 13, 1976, FOR DEPRIVATION OF LEGAL RIGHTS FOR PLAINTIFF-APPELLANT PRO SE FOR SUMMARY JUDGEMENT AND/OR JUDGEMENT ON THE PLEADINGS, according to *Rule 56(a) and/or Rule 12(c) and Rule 56(a) of HAWAII'S RULES OF CIVIL PROCEDURE,* AGAINST APPELLEES' DEFAULT. This was also Conflict by the clerks or "the Court" for Coercion of Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, against this Violation. Confirmation of preparation of This Objection and Motion for Reconsideration can be seen by the receipt for certified mail of copies to Defendants-Appellees, dated February 17, 1976.
4) "Motion to Consolidate Appeals against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for

APPENDIX "D(2)(d)"

Plaintiff-Appellant; Motion for Judgement on the Pleadings;" filed December 5, 1975.

5) "Motion for Judgement on the Pleadings for Plaintiff-Appellant Pro Se", dated Dec. 22, 1975, and letter dated Dec. 23, 1975, to the Justices to Order filing of this Motion against the DEFAULT OF THE DEFENDANTS-APPELLEES, was refused filing by the clerks by sanction of the Court or clerks, who were in Conflict for Violation of Legal Rights for Plaintiff-Appellant Pro Se against the clerks of "the Court" for Conflict for Coercion for Non-assertion of Legal Rights for Plaintiff Appellant Pro Se, for filing of Motion for "Judgement on the Pleadings", according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE*, and/or Summary Judgement, according to *RULE 56(a) and RULE 12(c)*.

6) "Objection to Orders of Feb. 13, 1976, Denying Reconsideration of the Dec. 5, 1975 Motion to Consolidate Appeals, etc.; Motion to Alter Order of Feb. 13, 1976, etc.," dated Feb. 17, 1976, was refused filing by "the Court" (on March 1, 1976) or clerks, who were in Conflict again for Violation for Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, who can Object against This Violation, whereof Objections and Motions to Alter Order, can be filed for proper appeal for Plaintiff-Appellant Pro Se. Confirmation of good intention of same Appellant Pro Se per Good True Record for intent for proper procedure can be witnessed by the certification of copies to Defendants-Appellees.

NOTICE OF THIS HEARING IS HEREBY ACKNOWLEDGED.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

NO. 5969

IN THE SUPREME COURT OF THE STATE OF HAWAII,

OCTOBER TERM 1975.

TO: MRS. JANICE CHING YEE, 3169 Alika Avenue, Honolulu, Hawaii 96817—Plaintiff-Appellant, Pro Se.

MR. WILLIAM L. FLEMING AND MR. EDWARD deLAPPE BOYLE (Cades, Schutte, Fleming & Wright) First Haw'n Bank Bldg., 165 S. King Street, Honolulu, Hi. 96813—Attorneys for Defendants-Appellees.

PLEASE TAKE NOTICE THAT CASE NO. 5969, **entitled:** JANICE CHING YEE, Plaintiff-Appellant v. HAROLD NICKELSEN, and/or CONROY, HAMILTON, GIBSON, NICKELSEN, AND RUSH, Defendants-Appellee,

the

MOTION TO DISMISS THE APPEAL OR IN THE ALTERNATIVE TO *STRIKE THE OPENING BRIEF*, *filed Dec. 17, 1975*

has been set for argument in the Supreme Court in the Judiciary Building, Honolulu, Hawaii, on TUESDAY, MARCH 9, 1976, at 9:00 A.M.

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE, IN WRITING.

/s/ Edward K. Suzuki
Edward K. Suzuki
CLERK

DATE: March 2, 1976

APPENDIX "D(1)(e)"

March 4, 1976

SUPREME COURT OF HAWAII
HONOLULU, HAWAII

RE: *S.C. 5969*

YOUR HONORS,

Notice of Hearing for case S.C. 5969, scheduled for March 9, 1976, 9a.m., was received March 3, 1976.

This Hearing will be for S.C. 5969, for Janice Ching Yee Plaintiff-Appellant Pro Se, vs. Defendants-Appellees Harold Nickelsen, et al, for argument of:

1) "Motion to Dismiss", filed Dec. 17, 1975.
2) "Objection to Motion to Dismiss the Appeal and Objection to Motion to Strike Opening Brief, etc.", filed Dec. 23, 1975.
3) "Motion to Consolidate Appeals against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant; Motion for Judgement on the Pleadings;" filed Dec. 5, 1975.
4) "Motion for Judgement on the Pleadings for Plaintiff-Appellant Pro Se", dated Dec. 22, 1975, and letter December 23, 1975 to the Justices to Order filing of this Motion against the DEFAULT OF THE DEFENDANTS-APPELLEES, was refused filing by the clerks by sanction of the Court or clerks, who were in Conflict for Violation of Legal Rights for Plaintiff-Appellant Pro Se against the clerks or the Court for Conflict for Coercion for Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, for filing of Motion for "Judgement on the Pleadings", according to Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE, and/or Summary Judgement, according to *Rule 56(a) and Rule 12(c).*
5) "Objection to Orders of Feb. 13, 1976, Denying Reconsideration of the Dec. 5, 1975 Motion to Consolidate Appeals, etc.; Motion to Alter Order of Feb. 13, 1976, etc.", dated Feb. 17, 1976, was refused filing by "the Court" (on March 1, 1976) or clerks, who were in Conflict again for Violation for Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, who can Object against This Violation,

APPENDIX "D(2)(e)"

whereof Objections and Motions to Alter Orders, can be filed for proper Appeal for Plaintiff-Appellant Pro Se. Confirmation of good intention of same Appellant Pro Se per Good True Record for intent for proper procedure can be witnessed by the certification of copies to Defendants-Appellees.

NOTICE OF THIS HEARING IS HEREBY ACKNOWLEDGED.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 98617

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII,

OCTOBER TERM 1975

TO: MRS. JANICE CHING YEE, 3169 Alika Avenue, Honolulu, Hawaii 96817—Plaintiff-Appellant, Pro se.

MR. WILLIAM L. FLEMING and MR. EDWARD deLAPPE BOYLE (Cades, Schutte, Fleming and Wright), First Haw'n Bank Bldg., 165 S. King Street, Honolulu, Hi. 96813—Attorneys for Defendants-Appellees.

PLEASE TAKE NOTICE THAT CASE NO. 5970, **entitled:** JANICE CHING YEE, Plaintiff-Appellant v. JAMES E. KOSHIBA and/or THE HAWAII BAR ASSOCIATION, Defendants-Appellees,

the

MOTION TO DISMISS THE APPEAL OR IN THE ALTERNATIVE TO STRIKE *THE OPENING BRIEF, filed Dec. 12, 1975,*

has been set for argument in the Supreme Court in the Judiciary Building, Honolulu, Hawaii, on TUESDAY, MARCH 9, 1976, at 10:30 A.M.

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE, IN WRITING.

/s/ Edward Suzuki
Edward Suzuki
CLERK

DATE: March 2, 1976

APPENDIX "D(1(f)"

March 4, 1976

SUPREME COURT OF HAWAII
HONOLULU, HAWAII

RE: *S.C. 5970*

YOUR HONORS,

Notice of Hearing for case S.C. 5970, scheduled for March 9, 10:30 a.m. was received March 3, 1976.

This Hearing will be for S.C. 5970 for Janice Ching Yee Plaintiff-Appellant Pro Se, vs. Defendants-Appellees, James E. Koshiba, and/or the Hawaii Bar Association, for argument of:

1) "Motion to Dismiss the Appeal or in the Alternative to Strike the Opening Brief, etc." filed Dec. 12, 1975, received Dec. 15, 1975 Monday.
2) "Objection to Motion to Dismiss the Appeal and Objection to Motion to Strike Opening Brief, etc.", filed Monday, December 22, 1975.
3) "Motion for Amendment of" "Opening Brief; Opposition to Dismiss the Appeal and Opposition to Strike the Opening Brief; Motion for Joinder of Parties, etc.", dated Dec. 19, 1975, was refused filing by the clerks by sanction of "the courts," against Motion for Joinder of Parties, permitted, according to *HAWAII'S SUPREME COURT RULES, Rule 1(a)(1).* The clerks were also against the Motion for Amendment, which could be included in the Argument.
4) "Motion to Consolidate Appeals against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant; Motion for Judgement on the Pleadings;" filed Dec. 5, 1975.
5) "Motion for Judgement on the Pleadings for Plaintiff-Appellant Pro Se", dated December 22, 1975 and letter December 23, 1975 to the Justices to Order filing of this Motion against the DEFAULT OF THE DEFENDANTS-APPELLEES, was refused filing the clerks by sanction of the Court or clerks, who were in Conflict for Violation of Legal Rights for Plaintiff-Appellant Pro Se against the clerks or the Court for Conflict for Coercion for Non-

APPENDIX "D(2)(f)"

assertion of Legal Rights for Plaintiff-Appellant Pro Se for filing of Motion for "Judgement on the Pleadings", according to *Rule 12(c) of HAWAII'S RULES OF CIVIL PROCEDURE*, and/or Summary Judgement, according to *RULE 56(a) and RULE 12(c)*.

6) "Objection to Orders of Feb. 13, 1976, Denying Reconsideration of the Dec. 5, 1975 Motion to Consolidate Appeals, etc.; Motion to Alter Order of Feb. 13, 1976, etc.", dated Feb. 17, 1976, was refused filing by "the Court" (on Mar. 1, 1976) or clerks, who were in Conflict again for Violation for Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, who can Object against This Violation, whereof Objections and Motions to Alter Order, can be filed for proper Appeal for Plaintiff-Appellant Pro Se. Confirmation of good intention of same APPELLANT PRO SE per GOOD TRUE RECORD for intent for proper procedure can be witnessed by the certification of copies to Defendants-Appellees.

NOTICE OF THIS HEARING IS HEREBY ACKNOWLEDGED.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

NO. 5903

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1974

JANICE CHING YEE,	)	CIVIL NO. 44245
Plaintiff-Appellant,	)	APPEAL FROM THE ORDER DISMISSING COMPLAINT AND DENYING MOTION FOR SUMMARY JUDGEMENT FOR PLAINTIFF, (FILED APRIL 11, 1975) AND APPEAL FROM THE ORDER DENYING MOTION FOR RECONSIDERATION OR RETRIAL (FILED APRIL 29, 1975)
vs.	)	
EDWARD Y.C. CHUN and/or CHUN, KERR & DODD, Attorneys,	)	
Defendants-Appellees.	)	
	)	FIRST CIRCUIT COURT
	)	HONORABLE NORITO KAWAKAMI, JUDGE

ORDER

The Motion for Reconsideration of Order of September 9, 1975 and/or Motion for Summary Judgement for Plaintiff-Appellant, filed September 11, 1975, having been considered by the court, is denied without hearing.

DATED: Honolulu, Hawaii, October 6, 1975.

FOR THE COURT:

SEAL

/s/ Bert T. Kobayashi
Bert T. Kobayashi
Acting Chief Justice

FILED
OCT 6 2 27 PM 1975
Clement J.H. Chun
CLERK SUPREME COURT

APPENDIX "D(3)"

March 8, 1976

SUPREME COURT OF HAWAII
and/or Office of the Supreme Court
Honolulu, Hawaii

Dear Sirs:

Receipt of the Notice of Hearing for cases S.C.:
5943, Yee vs. Kokernak
5971, Yee vs. Hogan, et al
5924, Yee vs. Adams, et al &/or Nagahisa, et al
5969, Yee vs. Nickelsen, et al
6008, Yee vs. Vitousek, et al

has been acknowledged for Hearing set for March 9, 1976 at 9 a.m., and it can be appreciated if it can be allowed 15 or 20 minutes for Argument on each side per Supreme Court Rules, extending the Hearing for these five (5) cases from 9 a.m. to 11:30 a.m., and another half hour for S.C. 5970, Yee vs. Koshiba &/or the Hawaii Bar Association, set for 10:30, making it 11:30 a.m. instead on March 9, 1976.

If Justice Bert T. Kobayashi recluses himself out of Koshiba, et al's case, he should also recluse himself out of any case, unless he can say he honestly does not see Justice for Plaintiff-Appellant Pro Se for any case, and should Justice Bert T. Kobayashi's record reflect negative votes, then Kobayashi is in conflict to help Koshiba, et al, by denying any kind of Merit for Monetary Claims for Plaintiff-Appellant Pro Se for all Pleadings are part and parcel of all cases for Plaintiff-Appellant Pro Se. Therefore, can the substitute Justice also sit in on the five (5) cases other than Koshiba et al's, and thereby facilitating the concurrent running of the arguments without a gap to break or interrupt the arguments?

If this is possible, can the Hearing please be in this order:
Kokernak
Hogan, et al
Vitousek, et al
Adams, et al, &/or Nagahisa et al
Koshiba, et al
Nickelsen, et al

APPENDIX "D(4)"

Also, can I, Plaintiff-Appellant Pro Se give my testimony straight through for one and a half hours?

This way it won't be all cut up.

With due respect for Justice,
/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

APPROVED

_____
JUSTICE

_____
date

RECEIPT FOR CERTIFIED MAIL No. 480968
Sent to Fleming for Hogan, Koshiba &/or Nickelsen
Feb. 17, 1976

RECEIPT FOR CERTIFIED MAIL No. 480964
Sent to Garcia for Robt. Franklin
Feb. 17, 1976

RECEIPT FOR CERTIFIED MAIL No. 480963
Sent to Kanetake for Kokernak
Feb. 17, 1976

APPENDIX "D(5)"

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, PLAINTIFF-APPELLANT PRO SE	CIVIL NO. 45123
vs.	APPEAL AGAINST THE ORDER GRANTING MOTION TO DISMISS FOR DEFENDANTS, FILED AUGUST 28, 1975
BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, DEFENDANTS-APPELLEES.	FIRST CIRCUIT COURT Honorable Harold Shintaku Judge

OBJECTION TO ORDER OF FEBRUARY 13, 1976
DENYING MOTION TO AMEND OPENING BRIEF;
MOTION FOR SUMMARY JUDGEMENT AND/OR
JUDGEMENT ON THE PLEADINGS FOR APPELANT
PRO SE;
MOTION FOR RECONSIDERATION OF
MOTION TO AMEND OPENING BRIEF
MEMORANDUMS AND ARGUMENTS
IN SUPPORT OF OBJECTION AND MOTION;
AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I hereby certify a copy of this Objection and
Motion will be served on Attorney General & Deputy:
RONALD AMEMIYA 694
CEDRIC CHOI 1375
for VITOUSEK, ET AL
Defendants-Appellees
State Capitol Building
415 S. Beretania Street
Honolulu, Hawaii

APPENDIX "D(5)"

by certified mail, postage prepaid,
once filed, this February 17, 1976.

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

RECEIPT FOR CERTIFIED MAIL No. 480966
Sent to Choi for Vitousek et al
Feb. 17, 1976

APPENDIX "D(5)"

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. GERRY NAGAHISA, Social Worker, and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT of the FIRST CIRCUIT AND/OR BETTY ADAMS, Psychiatrist, and/or the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants-Appellees.	CIVIL NO. 44263 APPEAL FROM THE ORDER FILED MAY 7, 1975, DENYING MOTION FOR RETRIAL FOR PLAINTIFF; MOTION TO AMEND COMPLAINT; AND MOTION FOR SUMMARY JUDGEMENT FOR PLAINTIFF FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

OBJECTION TO ORDER OF FEBRUARY 13, 1976, DENYING MOTION FOR RELIEF, ETC. AND/OR MOTION TO AMEND OPENING BRIEF; AND/OR DENYING MOTION FOR SUMMARY JUDGEMENT AND/OR JUDGEMENT ON PLEADINGS; MOTION FOR RECONSIDERATION OF MOTION TO AMEND OPENING BRIEF MEMORANDUMS AND ARGUMENTS IN SUPPORT OF OBJECTION AND MOTION; AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

APPENDIX "D(5)"

I hereby certify a copy of this Objection and
Motion will be served on Attorney General & Deputy:
RONALD AMEMIYA 694
NELSON CHANG 726
for: ADAMS ET AL &/OR NAGAHISA ET AL
Defendants-Appellees
State Capitol Building
415 S. Beretania Street
Honolulu, Hawaii

by certified mail, postage prepaid,
once filed, this 17th day of
February, 1976.

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

RECEIPT FOR CERTIFIED MAIL No. 480967
Sent to Chang for Adams et al & Nagahisa et al
Feb. 17, 1976

APPENDIX "D(5)"

3/1/76

The Court has directed the clerk to return the attached five documents to Mrs. Yee because they are not appropriate. EKS

FOR: "motion for Temporary Monetary Relief" for S.C. 6102 dated 2/20/76 to include for Order to File:

dated: 2/17/76 1) "Objection to Order of 2/13/76 Denying Motion for Relief &/or Motion to Amend Opening Brief and/or denying Motion for Summary Judgement &/or Judgement on Pleadings; Motion for Reconsideration" for S.C. 5924

2/17/76 2) "Objection to Order of 2/13/76 etc.; Motion for Reconsideration" for S.C. 6008

2/17/76 3) "Objections to Orders of 2/13/1976, etc.; Motion to Alter Order of Feb. 13, 1976 Retrial" for consolidation etc.

2/17/76 4) "Objection to Order of 2/13/76 and/or Reconsider Motion to Grant an Injunction, etc." for S.C. 6102.

APPENDIX "D(6)"

ROBERT A. FRANKLIN
ATTORNEY AT LAW
SUITE 469, ALEXANDER YOUNG BUILDING
HONOLULU, HAWAII 96813
Telephone 521-4977

May 16, 1974

Mrs. Janice C. Yee
3169 Alika Drive
Honolulu, Hawaii

Dear Janice:

You indicated that you have a copy of the second Supplemental Order regarding temporary payments. I would like to have you set out for me how far you think $2,200 will go each month toward your bills. The feeling of Judge Vitousek was that this amount should more than cover your essential obligations, ie, mortgage, food and the like. What I want to know is how you feel you will be able to get by on this amount. You should remember that it is only temporary and will be subject to change at any time in the future, including the time when the final decision is rendered.

Now I want to point out something to you about Mr. Hogan. He is representing me in my own case. I am trying to do my best for you regardless of who else may have been involved. I never said that I would sue Hogan. What I told you is that you had to wait until your case was decided before you could determine if you had a claim against Hogan. This is still true.
As to the final decision, Judge Vitousek will work on this on her return next week. I see no way that she will give you $3,000,000. The total assets owned by Alfred Yee do not come to this amount, and under our law you are not entitled to more than 50% of the total assets. Further, the Court will not force Mr. Yee to sell all of his assets in order to pay you a large amount of money. What the Court will do is to make sure you are awarded a sufficient amount of property and money to equal one-half of the total estate, and to see that you and the children are protected in the future.

I will have a better idea of the thinking of Judge Vitousek early next week and will let you know then where we stand.

Very truly yours,

/s/ Bob Franklin
ROBERT A. FRANKLIN
RAF:ms

PLAINTIFF FOR PLAINTIFF

TO THE CIRCUIT COURT OF THE FIRST CIRCUIT

FAMILY COURT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. ALFRED ALPHONSE YEE, Defendant.	FC-D. NO. 81258

CAN I PLEASE PLEAD MY CASE ON FRIDAY? A SHORT CALENDAR OF EVENTS IS ENCLOSED TO SUBSTANTIATE THE SERIOUSNESS OF THIS CASE. I AM FOR USING THE PLEA OF AUGUST 22, 1974.

FOR REAL JUSTICE

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE

Dated September 4, 1974

Aug. 20, 1974— asked Mr. Franklin to get the 1973 tax statement and 1974 tax statement and 1973 tax withholding statement of Alfred Yee's. Also asked to get the lost alimony from Oct. 1972–Apr. 1974. Mr. Franklin said he doubted if it could be gotten. He would not even try to help. Said to drop down in the morning and see.

Aug. 21, 1974— Mr. Franklin said he doesn't have anything. Stopped to check on Mr. Moses from Peat, Marwick, and Mitchell, since Mr. Franklin blamed Mr. Peat, Marwick, and Mitchell for Vitousek's slow decision since they delayed the report to Harold Nickelsen, as guardian ad litem, but Mr. Nickelsen is *not* necessary. Mr. Moses said Peat, Marwick, and Mitchell, were not involved since they were not asked to do the report. Mr. Moses was told by Mr. Nickelsen he was not responsible for the report being late.
Stopped by to see Mr. Latham from Harris, Kerr, and Forster who said on 8/14/74, that he finally got the data from Al's office and can get the taxes out next week. But today, Mr. Latham said he can get out the financial sheets before the end of August at least.

Aug. 22, 1974— stopped Mr. Franklin's office—Mr. Franklin was behind closed doors, but wouldn't even answer the question, "Get the 1973 tax withholding statement?" Left message to phone.

Aug. 23, 1974— dropped off the TV bill. Mr. Franklin still behind closed doors. No messages. No answers. No return call.

Aug. 26, 1974— tried to get the other secretary to leave message for Mr. Franklin. Secretary Molly on the line, but the other secretary refused to take message down. Molly wouldn't call back. Molly wouldn't answer the phone. Called 4 times.

APPENDIX "D(8)"

Aug. 27, 1974— had to stop by the office to get a word out of Molly. Mr. Franklin not in and never called back after the messages to call. Found out other secretary is Mrs. Choy, and there was no cause for her not to take messages for Franklin or Molly. Sadism or personal?

Aug. 30, 1974— called to say Mr. Franklin did not call back; no messages. Left message to get check for Sept. so the bills can get paid. I'd stop by in the afternoon, knowing the labor weekend is shot. Stopped by about 2 o'clock. Nothing.

Sept. 3, 1974— 8:30—dropped to Franklin's for the check. Molly said do not have. Said Chun said it was there so she can't say a thing, which was falsehood which is not my style. She found the check. No message from Franklin. No tax statement. No call back.

Sept. 3, 1974— Stopped by circuit court. Asked secretary Sen to ask Vitousek's decision. No reason for getting delayed. Could have used last year's June 1973 financial statements for decision.

Sept. 4, 1974— Left message for Mr. Franklin to call after Molly said the lawyers would go to court Friday. Molly doesn't know any other details. Told Franklin to call. No call.

APPENDIX "D(8)"

FOR RESTITUTION
EXHIBIT "KKK"
(CORRECTED EXHIBIT "A" OF COMPLAINT)

My ex-husband Alfred A. Yee makes $100,000.00 per year, counting bonuses and dividends, which makes existing original income of approximately $8333.00 per month or $8000.00, setting aside the $333.00 for taxes. Therefore: half of original existing income is about $4000.00 per month for Plaintiff.

Hereby is the basis for EXHIBIT "KKK" or corrected EXHIBIT "A" of the original Complaint. The amount paid is alimony.

date	paid	half of income	unpaid or lost
Sept. 1971 to Dec. 1971	$ 7,200.	$ 12,000.	$ 4,800.
1972	21,600.	50,000.	28,400.
1973	21,600.	50,000.	28,400.
1974	22,600.	50,000.	27,400.
1975 to August, 1975	12,750.	32,000.	19,250.
TOTALS	$85,750.	$194,000.	$108,250.

APPENDIX "E(a)"

FOR RESTITUTION
EXHIBIT "KKK-X"

DEFENDANT-APPELLEE OWES	**DAMAGES**
Stephanie Kokernak owes for SPECIAL DAMAGES AND/OR GENERAL DAMAGES AND/OR EXEMPLARY DAMAGES AGAINST COERCION and/or DURESS, CONSPIRACY OR COLLUSION, CONTRIBUTORY "FALSE IMPRISONMENT OR RESTRAINT OF PERSON, RESTRAINT OF TRADE, VIOLATION OF CONSTITUTIONAL RIGHTS, INVASION OF PRIVACY, CONTRIBUTORY PREJUDICE AND PERSECUTION, LIBEL and/or SLANDER and/or DEFAMATION, CONFLICT OF INTEREST, BREACH OF CONTRACT, FRAUD, PERJURY, OBSTRUCTION OF JUSTICE, AND/OR MALICE.	$ 5,000.
Stephanie Kokernak owes for PUNITIVE DAMAGES AND/OR EXEMPLARY DAMAGES as opposed to Hawaii's Revised Statutes' limit set for Libel, unless considered as part and parcel of payment of the total amount for claims for the Complaints mentioned above, but not prohibited by it, and/or including court costs and fees.	5,000.
Stephanie Kokernak owes for ACTUAL DAMAGES (per Exhibit "KKK") and EXEMPLARY DAMAGES	108,250.
Stephanie Kokernak owes for OTHER ACTUAL DAMAGES AND/OR COMPENSATORY DAMAGES AND/OR EXEMPLARY DAMAGES for declining eyesight, dry hair for lack of hair treatment, and/or for the mental and physical frustration and/or mental and physical degradation from frustration from degradation of financial, social, educational, and/or recreational experiences once accustomed to for Plaintiff-Appellant Janice Ching Yee against the deprivation of rights and income for the experiences mentioned against the coercion for conspiracy, which caused the 47 months of degradation.	6,750.
THEREFORE: Defendant-Appellee Stephanie Kokernak owes Plaintiff-Apellant, JCY	$125,000.

p.s. If a Complete Settlement for Summary Judgement for Plaintiff-Appellant can be reached for case on Appeal, No. 5930, the complete amount of ACTUAL DAMAGES for Exhibit "KKK" can be deducted from the total amount.
If not, Stephanie Kokernak can borrow the amount owed out of the bank and work to pay it back.

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

APPENDIX "E(a)"

FOR RESTITUTION
EXHIBIT "HL"
(Revised Exhibit "B")

The basis for computations have been explained previously in EXHIBIT "B" of the Original COMPLAINT—civ. #44240.
The Revised Exhibit "B" or EXHIBIT "HL" follows.

date	paid	half of income	unpaid or lost
Sept. 1971 to Dec. 1971	$ 7,200.	$ 12,000.	$ 4,800.
1972	21,600.	50,000.	28,400.
1973	21,600.	50,000.	28,400.
1974	22,600.	50,000.	27,400.
1975 to August, 1975	12,750.	32,000.	19,250.
TOTALS	$85,750.	$194,000.	$108,250.

Based on the article in the September 16, 1975 Honolulu Star Bulletin, the loan expense is now down to 8%, so an added amount of $8,660.00 for interest expense for the use of my money, should be added to the $108,250.00 to make $116,910.00 for actual damages lost by Robert Hogan, Defendants-Appellees, CONSPIRATORS*, whose MALEVOLENCE caused the loss.

This is in addition to the rest of the damages in EXHIBIT "HLL" for damages owed for complete Summary Judgement for Janice Ching Yee, Plaintiff-Appellant.

EXHIBIT "HL"

APPENDIX "E(b)"

FOR RESTITUTION
EXHIBIT "HLL"
(Revised Exhibit "B")

DEFENDANTS-APPELLES OWES		DAMAGES
Robert Hogan et al, owes for SPECIAL DAMAGES AND/OR GENERAL DAMAGES AND/OR EXEMPLARY DAMAGES against Coercion, Malpractice or Malfeasance, Duress, Conspiracy or Collusion, Contributory "False Arrest" or Restraint of Person, Contributory Malicious Abuse of Judicial Process, Malevolence, Violation of Constitutional Rights, Contributory Prejudice and Persecution, Libel-Slander-Defamation of Character, Conflict of Interest, Fraud, Breach of Contract, Malice and/or Obstruction of Justice.		$ 500,000.00
Robert Hogan et al owes for PUNITIVE DAMAGES AND/OR EXEMPLARY DAMAGES as opposed to Hawaii's Revised statutes' limit set for Libel, unless considered as part and parcel of payment of the total amount for claims for the Complaints mentioned above, but not prohibited by it, and/or including court costs and fees.		500,000.00
Robert Hogan et al owe for ACTUAL DAMAGES (per EXH. "HL") and EXEMPLARY DAMAGES		516,910.00
ACTUAL DAMAGES from loss of income	$116,910.	
ACTUAL DAMAGES from loss of insurance	400,000.	
Robert Hogan et al owe for OTHER ACTUAL DAMAGES AND/OR COMPENSATORY DAMAGES AND/OR EXEMPLARY DAMAGES for declining eyesight, dry hair for lack of hair treatment, and/or for the mental and physical frustration, humiliation, and/or mental, physical, and social degradation from frustration from degradation or financial, social, educational, and/or recreational experiences once accustomed to for Plaintiff-Appellant Janice Ching Yee against the deprivation of rights and income for		483,090.00

experiences mentioned against Robert Hogan et al, Defendant-Appellees' Malevolence, Malpractice, and Conspiracy.

THEREFORE: Defendants-Appellees Robert Hogan et al, owe Plaintiff-Appellant JCY $2,000,000.00

p.s. If a Complete Settlement for Summary Judgement for Plaintiff-Appellant can be reached for the case No. 5930, the total amount of $116,910.00 can be deducted. Robert Hogan *must* pay the insurance loss of $400,000.00 and not Judge Betty Vitousek as stated earlier. It was Robert Hogan's Malevolence which caused the loss.

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

EXHIBIT "HLL"

APPENDIX "E(b)"

FOR RESTITUTION
EXHIBIT "VLN"
(Revised Exhibit "I")

The basis for computations have been explained previously in EXHIBIT "I" of the Original Complaint, Civil $45123.
The Revised Exhibit "I" or EXHIBIT "VLN" follows.

date	paid	half of income	unpaid or lost
Sept. 1971 to Dec. 1971	$ 7,200.	$ 12,000.	$ 4,800.
1972	21,600.	50,000.	28,400.
1973	21,600.	50,000.	28,400.
1974	22,600.	50,000.	27,400.
1975 to Oct. 1975	15,950.	40,000.	24,050.
TOTALS	$88,950.	$202,000.	$113,050.

Based on the article in the early part of November, 1975, Honolulu Star Bulletin, the loan expense now down to 7.5%, so an added amount of $8,479.00 for interest expense for the use of my money, should be added to the $113,050.00 to make a total of $122,529.00 for actual damages lost by Judge Betty Vitousek, et al, Conspiracy for Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process by Violation of all Legal Rights for Plaintiff-Appellant against this Conflict for Obstruction of Justice against Defendants-Appellees Vitousek et al.

This is in addition to the rest of the damages in EXHIBIT "VXN" for damages owed for complete Summary Judgement for Plaintiff-Appellant Janice Ching Yee.

EXHIBIT "VLN"

APPENDIX "E(c)"

FOR RESTITUTION
EXHIBIT "VXN"
(Revised Exhibit "II")

DEFENDANTS-APPELLEES OWE	**DAMAGES**
Judge Betty Vitousek personally owes for ACTUAL DAMAGES AND EXEMPLARY DAMAGES:	
from loss of insurance (Exh. "II" of Complaint)	$ 400,000.
from loss of income (EXH. "VLN")	122,529.
Vitousek personally owes for PUNITIVE AND/OR EXEMPLARY DAMAGES**	500,000.
Vitousek personally owes for SPECIAL &/OR GENERAL &/OR EXEMPLARY DAMAGES: against Malfeasance, Malice, Conflict, Malicious Malevolent Negligence, Impropriety, Conspiracy, Misconduct, Coerced Ignominy and Coerced Destitution for Coerced Destruction, Fraud, Breach of Contract, Incompetency, Swindle, Malicious Abuse of Judicial Process, "False Arrest" or Restraint of Person, Violation of all Legal Rights for Plaintiff for equal protection by Law, Libel, Slander, and Defamation, Prejudiced Persecution, Obstruction of Justice, and/or Restraint of Trade, Perjury.	500,000.
Judge Betty Vitousek and/or the Family Court of the District Court of the First Circuit of the State of Hawaii, Defendants-Appellees, owe for OTHER ACTUAL DAMAGES AND/OR COMPENSATORY DAMAGES AND/OR EXEMPLARY DAMAGES for declining eyesight, dry hair for lack of hair treatment, and/or for the mental and physical frustration, humiliation, and/or mental, physical, and social degradation from frustration from degradation of financial, social, educational, and/or recreational experiences once accustomed to and/or deprived of and the deprivation of Legal Rights and income for Plaintiff for experiences mentioned against Judge Betty Vitousek et al for Malice for Malfeasance for Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process for Coerced Ignominy and Coerced Destitution for Coerced Destruction.	477,471.
Vitousek, et al, owe for ACTUAL DAMAGES for loss of DEFAULT JUDGEMENT by Defendants-Appellees Alfred Alphonse Yee, et al. (EXH. "CIV")	1,000,000.
THEREFORE DEFENDANTS-APPELLEES JUDGE BETTY VITOUSEK and/or THE FAMILY COURT OF THE DISTRICT COURT OF THE FIRST CIRCUIT OF THE STATE OF HAWAII OWE PLAINTIFF-APPELLANT JCY	$3,000,000.

**page 2 of EXHIBIT "VXN"

p.s. If Alfred Yee pays for the Default, according to *HAWAII'S REVISED STATUTES, Chapter 636-13* and *Chapter 636-11*, the total amount for loss of Default and Actual Damages of $522,529. can be deducted.

EXHIBIT "VXN"

APPENDIX "E(c)"

FOR RESTITUTION
EXHIBIT "VXN"
page 2

PUNITIVE AND/OR EXEMPLARY DAMAGES against Vitousek's Malice, Malfeasance, Impropriety for Prejudiced Judicial Persecution for Malicious Abuse of Judicial Process for Coerced Ignominy and Coerced Destitution for Coerced Destruction of Plaintiff-Appellant Pro Se for *Hawaii's Revised Statutes, Chapter 657-12* for a four (4) years limit for "ALL OTHER PERSONAL ACTION NOT COVERED BY HAWAII'S STATUTES" OR according to *Chapter 657-20* of *Hawaii's Revised Statutes* for a six (6) years limit against "CONCEALMENT" of Judge Betty Vitousek's Malice as Conflict for Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process for Destruction of Plaintiff-Appellant Pro Se and all I hold dear, my five (5) legitimate children and custody of these five (5) children to real Mother Janice Ching Yee. $500,000.

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

FOR RESTITUTION
EXHIBIT "FO"
(Revised Exhibit "S")

The basis for computations have been explained previously in EXHIBIT "S" of the Opening Brief, No. 5924.

The Revised Exhibit "S" or EXHIBIT "FO" follows.

date	paid	half of income	unpaid or lost
Feb. 1973 to Dec. 1973	$19,800.	$ 45,834.	$26,034.
1974	22,600.	50,000.	27,400.
1975 to Aug. 1975	14,350.	36,000.	21,650.
TOTALS	$56,750.	$131,834.	$75,084.

Based on the article in the September 16, 1975 Honolulu Star Bulletin, the loan expense is now down to 8%, so an added amount of $6,007.00 for interest expense for the use of my money, should be added to the $75,084. to make $81,091. for actual damages lost by the NEGLIGENT, DEFAMATORY, MALFEASANT REPORTS of Gerry Nagahisa et al, and/or Betty Adams et al, which caused the loss of custody and Destructive "guardian ad litem" decree, which caused the Deprivation of income and American Constitutional Rights for Plaintiff-Appellant Pro Se.

This is in addition to the rest of the damages in EXHIBIT "FOE" for damages owed for complete Summary Judgement for Plaintiff-Appellant Janice Ching Yee, against Defendants-Appellees Betty Adams et al, and/or Gerry Nagahisa et al, as Conspirators*.

*page 4.

FOR RESTITUTION
EXHIBIT "FOE"
(Revised Exhibit "S")

DEFENDANTS-APPELLEES OWE	**DAMAGES**
Gerry Nagahisa, et al, AND/OR Betty Adams, et al, OWE GENERAL DAMAGES AND/OR SPECIAL DAMAGES AND/OR EXEMPLARY DAMAGES (as previously explained)	$ 500,000.
Gerry Nagahisa et al, AND/OR Betty Adams, et al, OWE PUNITIVE DAMAGES AND/OR EXEMPLARY DAMAGES** (as previously explained and **page 2 of EXHIBIT "FOE")	$ 500,000.
Gerry Nagahisa et al, AND/OR PER EXHIBIT "FO"	$ 81,091.
INSURANCE LOSS	400,000. ***page 2-EXH. "FOE"
Gerry Nagahisa et al, AND/OR Betty Adams, et al, OWE OTHER ACTUAL DAMAGES AND/OR COMPENSATORY DAMAGES (as previously explained)	518,909.
THEREFORE: DEFENDANTS-APPELLEES ADAMS, ET AL, AND/OR DEFENDANTS-APPELLEES NAGAHISA, ET AL, OWE PLAINTIFF-APPELLANT JANICE CHING YEE	$2,000,000.

p.s. If a Complete Settlement by Summary Judgement for Plaintiff-Appellant Pro Se can be reached for the case No. 5930, the total amount of $81,091.00 can be deducted. The $400,000.00 loss from insurance is Hogan's fault due to Robert Hogan who must pay Plaintiff-Appellant for its loss, but Betty Adams et al, must also pay this loss as exem-

**PUNITIVE AND/OR EXEMPLARY DAMAGES against Defendants-Appellees' MALEVOLENT, MALFEASANT, NEGLIGENT, INCOMPETANT REPORTS, which CONTRIBUTED TO LOSS OF CUSTODY of the Children OR more Equitable Distribution of Income or non-deprivation of Income and American Constitutional Rights or Complete Settlement, according to *HAWAII'S REVISED STATUTES, Chapter 657-12* for a four (4) years limit for "ALL OTHER PERSONAL ACTION NOT COVERED by HAWAII'S STATUTES" for a more secure future for Hawaii against CONTRIBUTORY PREJUDICED PERSECUTION by Judge Betty Vitousek for COERCED IGNOMINY by an ILLEGAL "guardian ad litem" "False Arrest" judgement or decision; *OR*, according to *HAWAII'S REVISED STATUTES*, Chapter 657-20 for a six (6) years limit CONCEALMENT of Defendants-Appellees' MALICE FOR CONTRIBUTORY PREJUDICED PERSECUTION of Plaintiff-Appellant Pro Se, Janice Ching Yee as a capable, just, Christian, American woman, who appeals to the Supreme Court of Hawaii for Summary Judgement against the Conspiracy for Malicious Abuse of Judicial Process.

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

plary damages against Betty Adams' Deliberate MALICE AFORETHOUGHT for COERCED INCOMPETANCY of Plaintiff-Appellant Pro Se against the COERCED DISSIPATION OF ASSETS CAUSED BY THE DEFAMATORY REPORTS, WHICH CONTRIBUTED TO THE LOSS OF CONTROL by Plaintiff-Appellant Pro Se, JCY, against Hogan's MALICIOUS MALEVOLENT MALFEASANT NEGLIGENCE after the DEFAMATORY REPORTS.

EXHIBIT "FOE"

APPENDIX "E(d)"

***ACTUAL DAMAGES FROM LOSS OF INSURANCE:

SR 160955	Continental	$100,000.
4995459	Hancock	10,000.
5577822	"	10,000.
6236742	"	20,000.
6577636	"	50,000.
7552499	"	200,000.
6588684	"	10,000.
		$400,000.

APPENDIX "E(d)"

FOR RESTITUTION
EXHIBIT "NO"
(Revised Exhibit "B")

The basis for computations have been explained previously in EXHIBIT "B" of the Original COMPLAINT-Civ. #44244.
The Revised Exhibit "B" or EXHIBIT "NO" follows.

date	paid	half of income	unpaid or lost
Sept. 1971 to Dec. 1971	$ 7,200.	$ 12,000.	$ 4,800.
1972	21,600.	50,000.	28,400.
1973	21,600.	50,000.	28,400.
1974	22,600.	50,000.	27,400.
1975 to Sept., 1975	14,350.	36,000.	21,650.
TOTALS	$87,350.	$198,000.	$110,650.

Based on the article in the September 16, 1975 Honolulu Star Bulletin, the loan expense is now down to 8%, so an added amount of $8,735.00 for interest expense for the use of my money, should be added to the $110,650.00 to make $119,385.00 for actual damages lost by Harold Nickelsen et al, as Malevolent, Malicious Conspirators*, Defendants-Appellees.

This is in addition to the rest of the damages in EXHIBIT "NON" for damages owed for complete Summary Judgement for Plaintiff-Appellant Janice Ching Yee.

*page 4.

EXHIBIT "NO"

APPENDIX "E(e)"

FOR RESTITUTION
EXHIBIT "NON"
(Revised Exhibit "B")

DEFENDANTS-APPELLEES OWE	**DAMAGES**
Harold Nickelsen, et al, owes for SPECIAL DAMAGES AND/OR GENERAL DAMAGES AND/OR EXEMPLARY DAMAGES against Coercion, Malpractice or Malfeasance, Duress, Conspiracy or Collusion, Contributory "False Arrest" or Restraint of Person, Contributory Malicious Abuse of Judicial Process, Malevolence, Violation of Constitutional Rights, Contributory Prejudiced Persecution, Libel, Slander, and Defamation of Character, Conflict of Interest, Fraud, Breach of Contract, Malice and/or Obstruction of Justice.	$ 500,000.00
Harold Nickelsen, et al, owes for PUNITIVE DAMAGES and/or EXEMPLARY DAMAGES**	500,000.00
Harold Nickelsen, et al, owes for ACTUAL DAMAGES (per EXH. "NO") and EXEMPLARY DAMAGES	519,358.00
ACTUAL DAMAGES from loss of income	$119,385.***
ACTUAL DAMAGES from loss of insurance	400,000.
Harold Nickelsen, et al, owe for OTHER ACTUAL DAMAGES AND/OR COMPENSATORY DAMAGES AND/OR EXEMPLARY DAMAGES for declining eyesight, dry hair for lack of hair treatment, and/or for the mental and physical frustration, humiliation, and/or mental, physical, and social degradation from frustration from degradation of financial, social, educational, and/or recreational experiences once accustomed to for Plaintiff-Appellant Janice Ching Yee against the deprivation of rights and income for experiences mentioned against Harold Nickelsen et al, Defendants-Appellees' Malevolence Malpractice, and Conspiracy.	480,642.00
THEREFORE: Defendants-Appellees Harold Nickelsen, et al, owe Plaintiff-Appellant JCY	$2,000,000.00

**page 2 of EXH. "NON"
***page 2 of EXH. "NON"

p.s. If a Complete Settlement for Summary Judgement for Plaintiff-Appellant can be reached for the case No. 5930, the total amount of $119,358.00 can be deducted. Robert Hogan *must* pay the insurance loss of $400,000.00. *But* Harold Nickelsen *must* also pay Plaintiff against this loss for EXEMPLARY DAMAGES as an example of their DELIBERATE MALEVOLENT MALPRACTICE.

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

EXHIBIT "NON"

APPENDIX "E(e)"

FOR RESTITUTION
EXHIBIT "NON"
page 2

**PUNITIVE AND/OR EXEMPLARY DAMAGES against their Malevolent, Negligent, Malpractice, for neglecting to Appeal for Custody of the Children or for more Equitable Distribution of Income or Complete Settlement, according to *Hawaii's Revised Statutes, Chapter 657-12* for a 4 (four) years limit for "ALL OTHER PERSONAL ACTION NOT COVERED by HAWAII'S STATUTES for a more secure future for Hawaii against PREJUDICED PERSECUTION FOR COERCED IGNOMINY by an ILLEGAL "guardian ad litem" "False Arrest" judgement or decision; *OR*, according to *Hawaii's Revised Statues, Chapter 657-20* for a 6 (six) years limit against CONCEALMENT of Judge Betty Vitousek's MALICE, which was for Judge Betty Vitousek's PREJUDICED PERSECUTION of Plaintiff-Appellant, capable just innocent capitalist, Christian, executive, independant, American woman Janice Ching Yee, who Appeals as Plaintiff Appellant Pro Se to the Supreme Court of Hawaii for Summary Judgement against the Conspiracy for Vitousek's Malicious Abuse of Judicial Process for Coerced Ignominy of Plaintiff- Appellant Pro Se.

***ACTUAL DAMAGES FROM LOSS OF INSURANCE:

SR 160955	Continental	$100,000.
4995459	Hancock	10,000.
5577822	"	10,000.
6236742	"	20,000.
6577636	"	50,000.
7552499	"	200,000.
6588684	"	10,000.
		$400,000.00

APPENDIX "E(e)"

FOR RESTITUTION
EXHIBIT "KO"
(Revised Exhibit "B")

The basis for computations have been explained previously in EXHIBIT "B" of the Original Complaint Civil #44262.
The Revised Exhibit "B" or EXHIBIT "KO" follows.

date	paid	half of income	unpaid or lost
Sept. 1971 to Dec. 1971	$ 7,200.	$ 12,000.	$ 4,800.
1972	21,600.	50,000.	28,400.
1973	21,600.	50,000.	28,400.
1974	22,600.	50,000.	27,400.
1975 to Sept. 1975	14,350.	36,000.	21,650.
TOTALS	$87,350.	$198,000.	$110,650.

Based on the article in the September 16, 1975 Honolulu Star Bulletin, the loan expense is now down to 8%, so an added amount of $8,735.00 for interest expense for the use of my money, should be added to the $110,650.00 to make $119,385.00 for actual damages lost by James Koshiba &/or the Hawaii Bar Association's Incompetent Negligent Malfeasance as Contributory Conspirators*, as Defendants-Appellees.

This is in addition to the rest of the damages in EXHIBIT "KOK" for damages owed for complete Summary Judgement for Plaintiff-Appellant Janice Ching Yee.

*page 3.

EXHIBIT "KO"

APPENDIX "E(f)"

FOR RESTITUTION
EXHIBIT "KOK"
(Revised Exhibit "B"

DEFENDANTS-APPELLEES OWE	**DAMAGES**
*****James Koshiba &/or the Hawaii Bar Association,** as an Association, including the Ethics Commission, owes for SPECIAL DAMAGES AND/OR GENERAL DAMAGES AND/OR EXEMPLARY DAMAGES against Malfeasance, Malicious Malevolent Negligence, Contributory Conspiracy, Misconduct, Malice, Coerced Destruction by Non-Assertion of Plaintiff-Appellant's Rights, Fraud, Breach of Contract, Contributory Swindle, Contributory Malicious Abuse of Judicial Process, Contributory "False Arrest" or Restraint of Person, Violation of Constitutional Rights for equal protection by Law, Contributory Prejudiced Persecution, Libel, Slander, and Defamation, Obstruction of Justice, and/or Restraint of Trade,	$ 500,000.00
*****James Koshiba &/or the Hawaii Bar Association, owes for PUNITIVE DAMAGES and/or EXEMPLARY DAMAGES	500,000.00
*****James Koshiba &/or the Hawaii Bar Association, owes for ACTUAL DAMAGES (per EXH. "KO") and EXEMPLARY DAMAGES:	519,358.00
from loss of insurance $ 400,000. ****	
from loss of income 119,385.	
*****James Koshiba &/or the Hawaii Bar Association, owes for OTHER ACTUAL DAMAGES AND/OR COMPENSATORY DAMAGES AND/OR EXEMPLARY DAMAGES for declining eyesight, dry hair for lack of hair treatment, and/or for the mental and physical frustration, humiliation, and/or mental, physical, and social degradation from frustration from degradation of financial, social, educational, and/or recreational experiences once accustomed to, for Plaintiff-Appellant Janice Ching Yee against the deprivation of rights and income for experiences mentioned against James Koshiba &/or the HBA, Defendants-Appellees' Negligent, Malfeasant, Conflict, and Contributory Conspiracy for Coerced Destruction.	480,642.00
THEREFORE: Defendants-Appellees James Koshiba &/or the HBA, owe Plaintiff-Appellant JCY	$2,000,000.00

**EXHIBIT "OKE"
***page 2 of EXHIBIT "KOK"
****page 2 of EXHIBIT "KOK"
*****EXHIBIT "OKE"

p.s. If a Complete Settlement for Summary Judgement for Plaintiff-Appellant can be reached for the case No. 5930, the the total amount of $119,358.00 can be deducted, but Robert Hogan *must* pay the insurance loss of $400,000.00. The Hawaii Bar Association must also pay Plaintiff for EXEMPLARY DAMAGES against the HBA's Deliberate Malevolent Negligent Malfeasance for Coerced Non-Assertion of Legal Rights for Plaintiff-Appellant Pro Se.

EXHIBIT "KOK"

APPENDIX "E(f)"

FOR RESTITUTION
EXHIBIT "KOK"
page 2

***PUNITIVE AND/OR EXEMPLARY DAMAGES against their Malevolent, Negligent, Malfeasance, for neglecting to Appeal for Custody of the Children or for more Equitable Distribution of Income or Complete Settlement, according to *Hawaii's Revised Statutes, Chapter 657-12* for a 4(four) years limit for "ALL OTHER PERSONAL ACTION NOT COVERED" by *HAWAII'S STATUTES* for a more secure future for Hawaii against PREJUDICED PERSECUTION FOR COERCED IGNOMINY AND NON-ASSERTION OF PLAINTIFF-APPELLANT'S LEGAL RIGHTS against an ILLEGAL "guardian ad litem" or "trustee" "False Arrest" judgement or decision; *OR* according to *Hawaii's Revised Statutes, Chapter 657-20* for a 6 (six) years limit against CONCEALMENT of Judge Betty Vitousek's MALICE, which was for Judge Betty Vitousek's PREJUDICED PERSECUTION OF Plaintiff-Appellant, capable just innocent capitalist, Christian, executive, independant, American woman Janice Ching Yee, who Appeals as Plaintiff-Appellant Pro Se, to the Supreme Court of Hawaii for Summary Judgement for Plaintiff-Appellant.

****ACTUAL DAMAGES FROM LOSS OF INSURANCE:

SR 160955	Continental	$100,000.00
4995459	Hancock	10,000.00
5577822	"	10,000.00
6236742	"	20,000.00
6577636	"	50,000.00
7552499	"	200,000.00
6588684	"	10,000.00
		$400,000.00

APPENDIX "E(f)"

FOR RESTITUTION
REVISED EXHIBIT "OKE"

**the Hawaii Bar Association, consisting of all members‡ of the HBA, must pay for SPECIAL DAMAGES AND/OR GENERAL DAMAGES AND/OR EXEMPLARY DAMAGES — $ 92,570.00

The extra errant MALFEASANT members who must pay extra follows:

John Parks, as previously mentioned:
2 × $465.00 = 930.00
(p. 14, 15, 28, or EXH. "KF", "KH", "KK", "KP", "KQ")

Judge Kats Miho, who should have ordered the money on May 16, 1975, for Plaintiff-Appellant so I don't need to worry about the travel expenses to see my own daughter graduate from college. They would even deprive a natural mother of the pleasure of seeing a daughter graduate from college after once having labored 27 hours to see her get born. This was so small, to postpone payment. Judge Miho owes the money decreed for Plaintiff-Appellant and presented for collection — 2,500.00
(p. 17, 18, or EXH. "KW", "OKE")

Judge John West, who could have cited Defendants-Appellees, Alfred Alphonse Yee for Contempt of Court and ordered him to pay the sum decreed and/or appealed for in the May 13, 1975 "Show Cause Order" for reimbursement of travel expenses, which caused anxiety throughout the trip. This was so small to perpetrate Alfred Yee's Deprivation of income and Constitutional Rights for Plaintiff Appellant — 2,500.00

James Koshiba, Defendant-Appellee must pay extra against Koshiba's Malfeasant Negligent Conflict as explained in the Opening Brief of S.C. No. 5970 — 400,000.00

David Ingman, as previously mentioned:
2 × $750.00 = 1,500.00

(p. 19, 20, 28, 37, or
EXH. "KS", "KT", "KV")

**THEREFORE: the Hawaii Bar Association, must pay for SPECIAL and/or GENERAL and/or EXEMPLARY DAMAGES for Plaintiff-Appellant $500,000.00

*****James Koshiba, Defendant-Appellee, as self, must pay extra against James Koshiba's Malfeasant Negligent Conflict as explained in the Opening Brief of S.C. No. 5970 for Plaintiff-Appellant against James Koshiba, Contributory Conspirator who does owe *a sum of ($200,000. each class) and part of actual damages if not paid.* $600,000.00

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

EXHIBIT "OKE"

APPENDIX "E(f)"

FOR RESTITUTION
EXHIBIT "IS"
(Revised Exhibit "B")

The basis for computations have been explained previously in Exhibit "B". The Revised Exhibit "B" or EXHIBIT "IS" follows.

date	paid	half of income	unpaid or lost
Sept. 1971 to Dec. 1971	$ 7,200.	$ 12,000.	$ 4,800.
1972	21,600.	50,000.	28,400.
1973	21,600.	50,000.	28,400.
1974	22,600.	50,000.	27,400.
1975 to August, 1975	12,750.	32,000.	19,250.
TOTALS	$85,750.	$194,000.	$108,250.

Based on the article in the September 16, 1975 Honolulu Star Bulletin, the loan expense is now down to 8%, so an added amount of $8,660.00 for interest expense for the use of my money, should be added to $108,250.00 to make $116,910.00 as actual damages lost by Defendant-Appellee Robert A. Franklin, whose Malevolence caused the loss.

This is in addition to the rest of the damages in EXHIBIT "IS-X" for damages owed for Summary Judgement for Plaintiff-Appellant, Janice Ching Yee.

EXH. "IS"

APPENDIX "E(g)"

FOR RESTITUTION
EXHIBIT "IS-X"
(Revised Exhibit "B")

DEFENDANT-APPELLEE OWES	**DAMAGES**
Robert Franklin owes for SPECIAL DAMAGES AND/OR GENERAL DAMAGES AND/OR EXEMPLARY DAMAGES AGAINST COERCION, MALPRACTICE OR MALFEASANCE, DURESS, CONSPIRACY OR COLLUSION, CONTRIBUTORY "FALSE ARREST" OR RESTRAINT OF PERSON, CONTRIBUTORY MALICIOUS ABUSE OF JUDICIAL PROCESS, MALEVOLENCE, VIOLATION OF CONSTITUTIONAL RIGHTS, CONTRIBUTORY PREJUDICE AND PERSECUTION, LIBEL, SLANDER, AND DEFAMATION, CONFLICT OF INTEREST, FRAUD, BREACH OF CONTRACT, MALICE, OBSTRUCTION OF JUSTICE.	$ 500,000.00
Robert Franklin owes for PUNITIVE DAMAGES AND/OR EXEMPLARY DAMAGES as opposed to Hawaii's Revised Statutes' limit set for Libel, unless considered as part and parcel of payment of the total amount for claims for the Complaints mentioned above, but not prohibited by it, and/or including court costs and fees.	500,000.00
Robert Franklin owes for ACTUAL DAMAGES (per Exhibit "IS") and EXEMPLARY DAMAGES	516,910.00
ACTUAL DAMAGES from loss of income	($116,910.)
ACTUAL DAMAGES from loss of insurance	(400,000.)
Robert Franklin owes for OTHER ACTUAL DAMAGES AND/OR COMPENSATORY DAMAGES AND/OR EXEMPLARY DAMAGES for declining eyesight, dry hair for lack of hair treatment, and/or for the mental and physical frustration, humiliation, and/or mental, physical, and social degradation from frustration from degradation of financial, social, educational, and/or recreational experiences once accustomed to for Plaintiff-Appellant Janice Ching Yee against the deprivation of rights and income for experiences mentioned against Robert A. Franklin, Defendant-Appellee's MALEVOLENCE, MALPRACTICE, AND CONSPIRACY.	483,090.00
THEREFORE: Defendant-Appellee Robert A. Franklin owes Plaintiff-Appellant JCY	$2,000,000.00

p.s. If a Complete Settlement for Summary Judgement for Plaintiff-Appellant can be reached for the case on Appeal, No. 5930, the complete sum of $116,910.00 can be deducted from the total. If a complete Summary Judgement for Plaintiff-Appellant against Judge Betty Vitousek can be reached, the amount of lost insurance can be deducted. If not, it should be divided between Alfred Yee, Ed Chun, Judge Betty Vitousek, Robert Hogan, Harold Nickelsen, and Robert Franklin for their CONSPIRACY.

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

EXH. "IS-X"

APPENDIX "E(g)"

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. JAMES E. KOSHIBA and/or the HAWAII BAR ASSOCIATION, AND/OR NORITO KAWAKAMI, Judge, Defendants-Appellees.	)	CIVIL NO. 44262 APPEAL FROM THE JUDGEMENT "IN TOTO" FILED JUNE 16, 1975 FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

MOTION FOR AMENDMENT
OF PLAINTIFF-APPELLANT'S OPENING BRIEF
OPPOSITION TO DISMISS THE APPEAL AND
OPPOSITION TO STRIKE OPENING BRIEF MOTION
FOR JOINDER OF PARTIES MEMORANDUM OF LAW
IN SUPPORT OF OPPOSITIONS AND MOTIONS
AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I hereby certify that two copies of
the following motions were served on:

EDWARD deLAPPE BOYLE
CADES SCHUTTE FLEMING & WRIGHT
165 South King Street
Honolulu, Hawaii, 96813

Attorneys for Defendants-Appellees

APPENDIX "E(h)(1)"

by certified mail, postage prepaid
this 19th day of December, 1975

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817

Plaintiff-Appellant Pro Se

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. JAMES E. KOSHIBA and/or the HAWAII BAR ASSOCIATION, Defendants-Appellees AND/OR NORITO KAWAKAMI, Judge, Third Party Defendant(s) -Appellee(s).	)	CIVIL NO. 44262 APPEAL FROM THE JUDGEMENT "IN TOTO" FILED JUNE 16, 1975 FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

MOTION FOR JOINDER OF PARTIES
ARGUMENTS AND MEMORANDUMS OF LAW
IN SUPPORT OF MOTION

I hereby certify that a copy of the
following Motion was served on:

EDWARD deLAPPE BOYLE
CADES, SCHUTTE, FLEMING & WRIGHT
165 South King Street
Honolulu, Hawaii, 96813

Attorneys for Defendants-Appellees

APPENDIX "E(h)(2)"

by certified mail, postage prepaid
this 22nd day of December, 1975.

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817

Plaintiff-Appellant Pro Se

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. JAMES E. KOSHIBA and/or the HAWAII BAR ASSOCIATION, AND/OR NORITO KAWAKAMI, Judge, Defendants-Appellees.	)	CIVIL NO. 44262 APPEAL FROM THE JUDGEMENT "IN TOTO" FILED JUNE 16, 1975 FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

MOTION FOR JOINDER OF PARTIES

Plaintiff-Appellant Pro Se hereby Motions for a Joinder to include Judge Norito Kawakami, as another Defendant-Appellee, according to *Chapter 634-26(6) of HAWAII'S REVISED STATUTES* against Injuries to the Person of Plaintiff-Appellant Pro Se.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated December 22, 1975
Honolulu, Hawaii

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. JAMES E. KOSHIBA and/or the HAWAII BAR ASSOCIATION, AND/OR NORITO KAWAKAMI, Judge, Defendants-Appellees.	)	CIVIL NO. 44262 APPEAL FROM THE JUDGEMENT "IN TOTO" FILED JUNE 16, 1975 FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

ARGUMENTS AND MEMORANDUMS OF LAW
IN SUPPORT OF MOTION

Plaintiff-Appellant Pro Se hereby Motions for a Joinder to include Judge Norito Kawakami, as another Defendant-Appellee according to *Chapter 634-26(6) of HAWAII'S REVISED STATUTES* against Injuries to the Person of Plaintiff-Appellant Pro Se, for I am not supposed to suffer:

1. the mental agony of being deprived of Legal Rights or Recourse by the Courts against being deprived of Legal Rights for Plaintiff-Appellant through the Hawaii Bar Association's Ethics Commission and its Chairman, who could have stopped the "Conspiracy for Prejudiced Persecution for Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant" Pro Se before it got started.
2. the mental agony of Defamation, implied and real, for, as Plaintiff-Appellant Pro Se, Janice Ching Yee, I am not frivolous and perjurous and should not be dismissed after all, MERITS of Plaintiff Pro Se's Complaints and/or Pleadings and Real Record prove Plaintiff-Appellant Pro Se true.

3. the mental agony of being left alone for 164 weekends.
4. the mental agony of a traumatic experience of now fifty-one (51) horrible months of unsettled financial divorce settlement for Complete Settlement for Plaintiff-Appellant Pro Se, per pleadings, who doesn't want to anything for ex-husband, Alfred A. Yee, not even think of him, least of all get an alimony which is only 2/3 of fixed expenses, which is "involuntary servitude", as explained in the December 5, 1975 "Motion to Consolidate Appeals, for I, as Plaintiff-Appellant Pro Se, want to have a Complete Settlement and FREEDOM.

In reiteration, the Defendants-Appellees, Koshiba and the Hawaii Bar Association's Ethics Commission, OR the Hawaii Bar Association members who were contacted for help, could have prevented the spread of the "Conspiracy for Prejudiced Persecution for Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant" Pro Se, per the December 5, 1975 "Motion".

How come Malfeasant Prejudiced Judge Kawakami contributed to Koshiba's Error, whereby Unethical Robert Hogan was termed "ethical"?

May all of the authorities of the December 5, 1975 "Motion" be considered as pertinent for this Joinder, and a copy is included for Norito Kawakami, ex-Judge of my cases in the lower Circuit Court.

To be included in the Motion for this Joinder; can the Court GRANT THIS MOTION, according also to *Chapter 711-21*, of *HAWAII'S REVISED STATUTES*, and a Joinder of charges against Defendants-Appellees, according to *Chapter 711-22* AND *711-23* of *these STATUTES;* and may this apply to a Joinder of Defendants-Appellees and charges against Defendants-Appellees, according to *Chapter 634-26* OR *Chapter 711-21*, or *HAWAII'S REVISED STATUTES*.

IN CONCLUSION, can This Court please GRANT PLAINTIFF-APPELLANT PRO SE'S APPEAL against Judge Kawakami's VOID Judgements, which were Prejudiced for Defendants-Appellees who were Malfeasant, Malevolent, Prejudiced, Contributory Malice for Malicious Abuse of Judicial Process for Prejudiced Persecution by Contributory "false arrest", which is Violation of Legal Rights for Plaintiff-Appellant against their Conflict of Interest, Impropriety, Fraud, and Breach of Contract, which constituted Obstruction of Justice against also their Contributory Swindle, by various methods of Deprivation of Income and Legal Rights for Plaintiff-Appellant Pro Se.

So, can This Court please include EXHIBIT "NK" for payable Restitution for Plaintiff-Appellant Pro Se for $1 Million against Judge Kawakami, individually for Malfeasant Prejudice, which he declared; and/or according to *Rule 56(a) of HAWAII'S RULES OF CIVIL PROCEDURE* for Summary Judgement OR Judgement on the Pleadings for Plaintiff-Appellant Pro Se, according to *Rule 12(c) of these RULES*.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Dated December 22, 1975
Honolulu, Hawaii

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 44262 APPEAL FROM THE JUDGEMENT "IN TOTO" FILED JUNE 16, 1975
vs.	)	
JAMES E. KOSHIBA and/or the HAWAII BAR ASSOCIATION, Defendants-Appellees AND/OR NORITO KAWAKAMI, Judge, Third Party Defendant- Appellee(s).	)	FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I am Mrs. Janice Ching Yee, of 3169 Alika Avenue, of Honolulu, Hawaii, (96817) and being duly sworn and under oath, swear and affirm that all of my "unprofessional" Legal Pleas, Complaints, Motions, Memorandums, Exhibits and/or Arguments, AND/OR Opening Brief and all Pleadings in Support are pled in good faith and/or with good intentions and not for delay.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Subscribed and sworn to before me
this 22nd day of December, 1975.

/s/ Anne Osenburg
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires: Oct. 15, 1978

FOR RESTITUTION

EXHIBIT "KNK"

My ex-husband Alfred A Yee makes upwards of $100,000. per year, counting bonuses and dividends, which makes his existing original income of approximately about $8333.00 per month or $8000.00 per month, setting aside the $333.00 for taxes per month. Therefore: half of original existing income is about $4000.00 per month for Plaintiff-Appellant.

Hereby is the basis for this exhibit. The amount paid is alimony, including mortgage and grocery, approximately.

date	paid	half of income	unpaid or lost
Sept. 1971 to Dec. 1971	$ 7,200.	$112,000.	$ 4,800.
1972	21,600.	50,000.	28,400.
1973	21,600.	50,000.	28,400.
1974	22,600.	50,000.	27,400.
1975 to Nov., 1975	17,550.	45,000.	27,450.
	$90,550.	$207,000.	$116,450.

Based on the article in the early part of Nov., 1975, Honolulu Star Bulletin, the loan expense is now down to 7.5% so an added amount of $8734.-for interest expense for the use of my money, should be added to the $116,450.00 to make a total of $125,184.00- for actual damages lost by Defendant-Appellee, Contributory Conspirators* Prejudiced Judgements.

This is in addition to the rest of the Damages in EXHIBIT "NK" for damages owed for restitution for complete Summary Judgement for Plaintiff-Appellant Pro Se, Janice Yee.

(EXHIBIT "KNK")

*page 5.

EXHIBIT "NK"

DEFENDANT—APPELLEE OWES	DAMAGES
Norito Kawakami, Judge, owes for SPECIAL DAMAGES, AND/OR GENERAL DAMAGES AND/OR EXEMPLARY DAMAGES against Prejudiced Judicial Persecution, Malpractice, Malfeasance, Impropriety, Misconduct, Unethical Procedure, Malice, Contributory Conspiracy, Contributory Malicious Abuse of Judicial Process, Contributory "false arrest" or Restraint of Person, Fraud, Breach of Contract, Contributory Swindle, Violation of Legal Rights, Libel, Slander, and Defamation, Obstruction of Justice, and/or Restraint of Trade.	$ 200,000.00
Norito Kawakami, Judge, owes for PUNITIVE DAMAGES AND/OR EXEMPLARY DAMAGES against Kawakami's personal Prejudiced Unethical, Malfeasant, Contributory "Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant Pro Se	100,000.00
Norito Kawakami, Judge, owes for ACTUAL DAMAGES (per EXH.**"KNK") & EXEMPLARY DAMAGES:	525,184.00
from loss of insurance $400,000.***	
from loss of income 125,184.**	
Noirto Kawakami, Judge, owes for COMPENSATORY DAMAGES AND/OR OTHER ACTUAL DAMAGES, AND/OR EXEMPLARY DAMAGES for declining eyesight for over-extensive reading or working late for pleading as Plaintiff-Appellant Pro Se, or dry hair from lack of treatment, and/or mental and physical frustration; humiliation from physical and social, financial or educational degradation and/or for recreational experiences once accustomed to, for Plaintiff-Appellant against Deprivation of Legal Rights for Collection and not payment of the Conspirators* Frivolous Malfeasant, Malevolent, Malicious Prejudice aided by Judge Kawakami who must pay Appellant JCY.	174,816.00
THEREFORE: Defendant-Appellee Judge Norito Kawakami owes Plaintiff-Appellant	$1,000,000.00

*page 7.
**EXHIBIT "KNK"
***EXHIBIT "NK"—page 2

p.s. If a Complete Settlement for Plaintiff-Appellant Pro Se can be reached for case No. 5930, the total amount of $525,184.00 can be deducted.

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 44262 APPEAL FROM THE JUDGEMENT "IN TOTO" FILED JUNE 16, 1975
vs.	)	
JAMES E. KOSHIBA and/or the HAWAII BAR ASSOCIATION AND/OR NORITO KAWAKAMI, Judge, Defendants-Appellees.	)	FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I AM Mrs. Janice Ching Yee, 3169 Alika Avenue, Honolulu, Hawaii, (96817) and being duly sworn and under oath, swear and affirm that all of my "unprofessional" Legal Pleas, Complaints, Motions, Exhibits, and/or Arguments, and/or Complete Opening Brief, Motions, Exhibits, and/or Arguments of Law are pled in good faith and/or pled with good intent, and not for delay.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Subscribed and sworn to before me
this 19th day of December, 1975.

/s/ Sidney T. Kan
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires: May 31, 1976.

FOR RESTITUTION

APPENDIX "AXE"

My ex-husband Alfred A. Yee made, at moment of Final Absolute Divorce, a figure of $100,000.00 ($105,000.00) per year income, including bonuses and dividends and directors fees, which is the basis for these computations, wherefor Plaintiff-Appellant Pro Se Janice Ching Yee, as ex-wife of twenty (20) years of marriage whereby 5 legitimate children were born, APPEALS TO HAWAII'S SUPREME COURT TO GRANT AND ORDER COMPLETE FINANCIAL SETTLEMENT FOR PLAINTIFF-APPELLANT PRO SE, for half of this $100,000.00 or $50,000.00, which can be multiplied by the years of living for Plaintiff-Appellant Pro Se, who wants to live for another 50 years, which makes a total of $2,500,000.00 whereby the other $500,000 can be termed as additional money earned during the last twenty (20) years of marriage, whereby Plaintiff-Appellant Pro Se, JCY, once worked hard to help build up my ex-husband AAY, and/or the company Alfred A. Yee & Associates, not expecting to be deprived of income, just always with ideas of reaping in our old age, a life of luxury for Plaintiff-Appellant Pro Se, without worries of financial stress or strain, and certainly not baring the cupboard to the Courts or public of Hawaii. This was my idea of the American ideal.

Hereby APPENDIX "AXE" is presented using computations of $4000.00 per month for Plaintiff-Appellant Pro Se (AND PLAINTIFF-APPELLANT PRO SE'S FIVE (5) CHILDREN) for the computations of "unpaid alimony or income of half of $8000.00 per month, which would be normal for Alfred Alphonse Yee, as Defendant-Appellee, if situations were not coerced by Judge Betty Vitousek who coerced a financial war between parties by her Malicious Abuse of Judicial Process for the Conspiracy, unwittingly aided and abetted by Defendants-Appellees Alfred A. Yee, et al, who co-instigated and also perpetrated Prejudiced Persecution for "judicial financial enslavement" by "coerced incompetency" or "spendthrift" as Defamation for Deprivation of Income and Legal Rights for Plaintiff-Appellant Pro Se, who never committed adultery, crime, or deliberate sin and therefore didn't warrant this cruel and unusual punishment by Hawaii's lower Courts.

Therefore, will Hawaii's Supreme Court excuse this extra explanation for REASON for Plaintiff-Appellant's seemingly stubborn basis for computations whereby the amounts paid is

for alimony, mortgage, groceries, and/or all other expenses, not including insurance payments, which is being appealed.

date	paid	half of income	unpaid or lost
Sept. 1971 to Dec. 1971	$ 7,200.	$112,000.	$ 4,800.
1972	21,600.	50,000.	28,400.
1973	21,600.	50,000.	28,400.
1974	22,600.	50,000.	27,400.
1975 ($17,900)	20,000.	50,000.	30,000.
(actual alimony)	$93,000.	$212,000.	$119,000.

Based on the article in the early part of November, 1975, the Honolulu Star Bulletin reported the loan expense down to 7.5%, so an added amount of $8,925.00 for interest expense for the use of my money, should be added to the $119,000.00 to make a total of $127,925.00 for actual damages of unpaid or lost alimony. This actual damage is in addition to the damages shown in APPENDIX "AFT" for Complete Settlement as Summary Judgement for Plaintiff-Appellant Pro Se, JCY.

APPENDIX "E(i)"

APPENDIX "AFT"

DEFENDANTS-APPELLEES OWE	DAMAGES
Alfred Alphonse Yee &/or Alfred A. Yee & Assoc. Alfred Alphonse Yee &/or Alfred A. Yee & Assoc. owes for ACTUAL DAMAGES AND EXEMPLARY DAMAGES:+	+500,000.
from loss of insurance (APP. "AFT"-2)***	$ 400,000.
	127,925.
Alfred Yee personally owes for PUNITIVE AND/OR EXEMPLARY DAMAGES**	500,000.
Alfred Yee personally owes for SPECIAL &/OR GENERAL &/OR EXEMPLARY DAMAGES: against Malfeasance, Malice Conflict, Malicious Malevolent Negligence, Conspiracy, Coerced Ignominy and Coerced Destitution for Coerced Destruction, Breach of Contract, Treachery, Swindle, Contributory Malicious Abuse of Judicial Process, Contributory "false arrest", or Restraint of Person, Violation of all Legal Rights for Plaintiff for equal protection by law, Libel, Slander, and Defamation, Prejudiced Persecution, Obstruction of Justice, Duress, and/or Restraint of Trade, Perjury.	500,000.
Alfred Alphonse Yee &/or Alfred A. Yee & Associates Owes OTHER ACTUAL DAMAGES AND/OR COMPENSATORY DAMAGES AND/OR EXEMPLARY DAMAGES for declining eyesight, dry hair for lack of hair treatment, &/or for the mental, physical frustration, humiliation, &/or mental, physical, and social degradation from frustration from degradation of financial, social, educational, &/or recreational experiences once accustomed to &/or deprived of and the deprivation of Legal Rights and income for Plaintiff for all of the	472,075.

**page 2 - APP. "AFT"
***page 2 - APP. "AFT"

FOR RESTITUTION

APPENDIX "AFT"

page 2

**PUNITIVE AND/OR EXEMPLARY DAMAGES against Alfred Yee et al's Malice for Conspiracy for Perjury for Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process for Coerced Ignominy and Coerced Destitution by Coerced Incompetency or Spendthrift for Coerced Defamation for Coerced Destruction of Plaintiff for *Hawaii's Revised Statutes, Chapter 657-20* for a six (6) years limit against CONCEALMENT by CONSPIRATORS* for MALICE FORETHOUGHT by Alfred Alphonse Yee, et al, as a Conspirator* whose CONFLICT was for JUDICIAL "FINANCIAL ENSLAVEMENT" and non-Assertion of Legal Rights for Plaintiff-Appellant Pro Se and all I hold dear, my five (5) legitimate children and custody of these children to Mother Janice Ching Yee for Complete Settlement as Summary Judgement so Plaintiff-Appellant Pro Se can prepare them for the future in the manner we have been accustomed to living; against their father Alfred Alphonse Yee, who's threat was to "GET" PLAINTIFF APPELLANT PRO SE, his ex-wife Janice Ching Yee.		$ 500,000.

***SR 16-955	Continental	$100,000.00
4995459	Hancock	10,000.00
5577822	"	10,000.00
6256742	"	20,000.00
6577636	"	50,000.00
7552499	"	200,000.00
6588684	"	10,000.00
		$400,000.00

APPENDIX "E(i)"

experiences mentioned against Alfred Yee et al for Malice for Conspiracy for Harassment for Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process for Coerced ignominy and Coerced Destitution for Coerced Destruction.

Alfred Alphonse Yee personally owes for OTHER EXEMPLARY DAMAGES for Extreme Malice for Harassment for personal physical or mental injury of Plaintiff against this Prejudiced Persecution for Deprivation of income and Legal Rights for Plaintiff against this Violation of all Legal Rights for Plaintiff for equal income for equal hours of work for equal level of work for equal mental ability against Alfred Yee as instigator of the Conspiracy for Malicious Harassment by Delay as Obstruction of Justice.	500,000.
THEREFORE DEFENDANTS-APPELLEES ALFRED ALPHONSE YEE &/OR ALFRED A. YEE & ASSOC. OWE PLAINTIFF-APPELLANT JCY	$3,000,000.

*Please deduct $10,000. less Actual Damages, but add $10,000. more for Compensatory or Exemplary Damages per individual exhibits.

ALTERNATIVE

ALFRED ALPHONSE YEE &/OR ALFRED A. YEE & ASSOCIATES OWE PLAINTIFF APPELLANT PRO SE JANICE CHING YEE against DEFAULT BY ALFRED ALPHONSE YEE, ET AL, DEFENDANTS APPELLEES, dated March 31, 1975. (EXHIBIT "CIV" of case S.C. No. 5930; of the Opening Brief) — $3,000,000.

ANOTHER ALTERNATIVE

ALFRED ALPHONSE YEE &/OR ALFRED A. YEE & ASSOCIATES OWE PLAINTIFF APPELLANT PRO SE JANICE CHING YEE — $3,000,000.

for: 20 years of marriage
× 50,000. per year for Equitable Settlement
$1,000,000. for Plaintiff-Appellant & Children for the 20 years of 1953-1973 plus 40 more years of living for Appellant × *$50,000.* per year for Equitable Settlement for next 40
2,000,000. years of income once worked for.
$3,000,000. Complete Settlement

APPENDIX "E(i)"

TO THE CIRCUIT COURT OF THE
FIRST CIRCUIT COURT

STATE OF HAWAII

JANICE C. YEE, Plaintiff, vs. ALFRED A. YEE, Defendant.	FC-D No. 81258

By the leave of this court and on behalf of counsel Robert Hogan, will the court please consider the submitted revised statement prepared on March 12, 1973, for Mr. Latham of Harris, Kerr, Forster, and Co., in rebuttal to Mr. Latham's Amended financial statement, estimated monthly expense and statement of position submitted to circuit court on March 6, 1973, by Ed Chun, counsel for the opposition.

Mr. Hogan was advised to submit a copy to the court, but did not, since Mr. Hogan, counsel for the plaintiff, said Mr. Hogan had submitted a copy of his proposal to Ed Chun to the court on February 1, 1973.

Besides, I didn't see Mr. Latham's report until March 11, 1973, and couldn't make a rebuttal for Mr. Hogan until March 12, 1973.

If it pleases the court, I thank the court to consider this for me.

Dated, Honolulu, Hawaii, July 20, 1973.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee

APPENDIX "E(1)"

March 12, 1973

Dear Mr. Hogan,

Go back please to the original Feb. 1, 1973, proposal where:

a) a divorce is granted.

b) the care, custody and control is awarded for the minor children of mine, Eric Kwan Sai Yee, born Sept. 20, 1956, Malcolm Kwan On Yee, born June 14, 1958, and Ian Kwan Pung Yee, born Aug. 23, 1962, to me, JCY.

c) adequate financial support provided for the support of each child and the education of each of them which covers college and graduate work. Alfred pays for complete college education.

d) alimony to be paid in the way of financial support of $48,000.00 per year for me, Janice Ching Yee, or $4000.00 per month. In addition an amount to cover Federal and State income taxes on this amount of $4000.00 per month to cover the expenses noted separately as EXHIBIT "A".

e) anything gained through non-marital sources from family such as shares of American Security Bank Stock and Lum Yip Kee, Ltd. to be retained by me, JCY.

f) any accumulated property acquired through marriage and generated after more than 20 years of marriage for me, JCY, should be divided in half as noted:

1) just as my house on Alika Ave., completely for me, JCY. This was in exchange for the family house on Palolo Ave.

2) marketable security of any type

3) note payable by E.E. Black. The initial capital for E.E. Black's note was taken out of savings Aug. 31, 1961, and July 13, 1961.

4) lot on #5514 in Keeau, Puna, Hawaii

5) 5 (five) cemetery plots at Oahu cemetery

6) the car bought from my money received through my mom should be completely for me, JCY.

7) half of all interest on Guam properties in notes payable securities, or cash out. If paid in notes payable, it should be completely paid before 1983.

a) Harmon Field warehouse and property. The initial capital was taken out of savings check #345 on July 8, 1970 for $12,933.33 and check #352 on July 20, 1970, for $2000.00

b) Tumon View Apartments. The initial capital for Tumon View apartments was paid for by check #908 out of savings on June 28, 1972 for $10,625.00.

c) Lot ##5166-1-R-1-Joint venture. The initial capital was paid for by check #908b for $1000.00 on June 30, 1972, and check #919 for $4000.00 in July 21, 1972.

d) Nobles Furniture. The initial capital for Nobles was taken out of savings check #889 for $15,000.00 on June 9, 1972, and check #915 for $16,000.00 on July 17, 1972 and check #943 for $8000.00 on July 28, 1972, for a truck. Another check #916 for $1000.00 was written on July 17, 1972.

e) Academy Gardens Joint venture. On April 21, 1972, check #843 for $25,000.00 was taken out of savings.

8) sale of Koali shacks on May 1, 1972 was thrown into savings by AAY. At least half of this amount of $65,983.39 is for me, JCY.

9) vacation accrued amount of $13,291.28. This was thrown into savings on June 7, 1972, of which half should be for me, JCY.

10)* If money was borrowed from the company to purchase any of the apartments-Kahala, Marco Polo, or Punahou, it should not be repaid through any of the notes payable. After all notes payable were initially taken from savings. Alfred can keep the apartments if money used is repaid. Another example, check #943 for $1,164.72 for patent costs paid by AAY was paid out of savings. This amount should be repaid by AAY. Alfred Yee can keep anything earned on his patents, although Al didn't give me credit just as his initial inspiration for some of them.

*All of this list above was money accumulated and acquired through marriage for me, JCY.

g) maintain existing insurance program for me just as primary and all of the children as secondary beneficiaries.

h) HMSA coverage of all children aside from me, JCY.

i) the balance of all counsel fees should be paid by AAY.

More than respectfully submitted,

/s/ _____
Mrs. Janice Ching Yee

P.S. the present level of living is not customary for me, JCY. I never chased after money and never was denied entrance to functions, organizations, or clubs.

APPENDIX "E(1)"

March 12, 1973

Mr. David Latham, CPA
Harris, Kerr, Forster & Co.
Suite 1004, 700 Bishop Street
Honolulu, Hawaii, 96813

Dear Mr. Latham,

I didn't see the amended financial statement, estimate monthly expense, and statement of position prepared by you on Feb. 20, 1973, until receipt of it on March 10, 1973, from Hogan's office.

Can you please make the following assumptions in the face of recent developments?

Please turn to EXHIBIT "A", which is submitted due to a fear I have of Doris Carles, who is extra vicious, will pay the bills late or not pay the bills and the loss of credit from these good companies can be detrimental on the condition of the future welfare of our Yee Family.

I don't intend to pay extra interest accumulated on delinquent bills as D. Carles does.

More than sincere,

/s/ _____
Mrs. Janice Ching Yee

FOR RESTITUTION
EXHIBIT "A"

Al shouldn't have custody of the minors as he can not maintain a separate household for them due to the number of trips made throughout the course of a year. I can therefore incur these expenses provided Al gives an alimony of $4000.00 per month for me, JCY, as projected.

a)	Mortgage	$ 424.00
b)	Punahou per February, 1973, notice: For Eric $1,460 per year Malcolm 1,460 per year Ian 1,360 per year $4,280 per year or per month—	356.67
c)	Allowances, clothing, books, music, language lessons, kung fu lessons, trips for Eric, Malcolm, and Ian	350.00
d)	Car lease ($174.) and expense for children	274.00
e)	Food and miscellaneous sweets for children $150.00 per person ($5. per day) × 4 persons	600.00
	candies, cookies, seemoi, etc.—things mailed for Lailan and Mark per month	20.00
f)	Household help temporary twice a week @ $20. a day approximate per month	200.00
g)	Telephone and utilities approximate per month	120.00
h)	Terminix @ $252.72 per year 1972. 1973?	25.00
i)	Personal and clothes (golf, gas, entertainment, etc.)	300.00
j)	Contributions	200.00
k)	Mark Yee—clothing, books, and allowance and air fare—2 trips @ $503. = $1,006. per year	283.83
l)	Lailan Yee—clothing, books, and allowance and air fare—3 trips @ $215.65 = $646.95 per year	253.91
m)	Maintenance of insurance on life of Al Yee in face amount of $350,000.00 net of borrowing	275.50
n)	HMSA and dental for self	50.00
o)	Yardwork @ approximate $35.00 per week	150.00
	Total spent a month approximate	$3,882.81

Alfred can spend the remaining $2,000.00 for subsistence as Al sees fit. Al Yee should pay the taxes as earlier mentioned.

More than respectfully submitted,

/s/ _____
Mrs. Janice Ching Yee

APPENDIX "E(1)"

March 1, 1973

In the Family Court of the First Circuit
STATE of HAWAII

FINAL ABSOLUTE DIVORCE DECREE
(APPENDIX "B(2)")

APPENDIX "F(1)—B(2)"

FAMILY COURT
STATE OF HAWAII
FILED

1973 NOV 2 AM 8 01

/s/ Y. Baba
Y. BABA
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE, Plaintiff, vs. ALFRED A. YEE, Defendant.	FC-D No. 81258 ORDER APPOINTING GUARDIAN AD LITEM

ORDER APPOINTING GUARDIAN AD LITEM

It is the finding of the Court, based on information received in evidence during the proceedings herein related to the award of custody of the children, and further based on the Court's observation of Plaintiff and on her testimony and written communications submitted to the Court, that good cause exists to appoint a guardian ad litem for Plaintiff.

It is therefore ordered that Harold W. Nickelsen be and he is hereby appointed as Guardian Ad Litem for Plaintiff, Janice C. Yee, to examine into the Court's proposed decision in relation to division of property and awards for support and maintenance and to determine whether, in his independent judgment, such proposed decision will serve and protect the Plaintiff's best personal and financial interests.

It is hereby further ordered that said Harold W. Nickelsen shall serve until the terms of a supplemental order to be entered by the Court providing for the management and division of

APPENDIX "F(1)"

property and for support and maintenance of Plaintiff have been effectuated or until the further order of the Court.

DATED: Honolulu, Hawaii, Nov. 2, 1973.

SEAL

/s/ Betty M. Vitousek
Betty M. Vitousek
JUDGE OF THE ABOVE ENTITLED COURT

cc: Robert G. Hogan, Esq.
Attorney for Plaintiff

Edward Y.C. Chun, Esq.
Attorney for Defendant

Harold W. Nickelsen, Esq.
Guardian Ad Litem

I do hereby certify that this is a full true and correct copy of the original on file in this office.

Clerk Circuit Court First Circuit
State of Hawaii

FAMILY COURT
FIRST CIRCUIT
STATE OF HAWAII

1973 JUL 10 PM 4 01
FILED
/s/ Norman K. Chu
NORMAN K. CHU
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

FAMILY COURT

STATE OF HAWAII

JANICE YEE,	)	FC-D No. 81258
Plaintiff,	)	ORDER FOR SUPPLEMENTAL SOCIAL STUDY
vs.	)	
ALFRED A. YEE,	)	
Defendant.	)	

ORDER FOR SUPPLEMENTAL SOCIAL STUDY

Pursuant to the provisions of HRS Sections 371-45 and 571-46(4) and good cause appearing therefor:

IT IS HEREBY ORDERED that the professional staff of this Court shall conduct or procure a supplemental social study of the undetermined or disputed issues existing in this action of child custody.

IT IS FURTHER ORDERED that a member of the Mental Health Team assigned to the Family Court shall interview each party and each child individually. A further hearing in this matter is scheduled before the undersigned Judge on Friday, July 20, 1973 at 8:30 a.m.

IT IS HEREBY FURTHER ORDERED that a report of the findings resulting from such supplemental study shall be presented to the Court on or before July 19, 1973 and shall be made

available to counsel for the parties before hearing; and that such report may be received in evidence if no objection is made and, if objection is made, may be received in evidence subject to cross-examination of the person responsible for such report.

DATED: Honolulu, Hawaii, July 10, 1973.

SEAL

/s/ Betty M. Vitousek
BETTY M. VITOUSEK
JUDGE OF THE ABOVE MENTIONED COURT

Plaintiff's address and phone number:	Defendant's address and phone number:
3169 Alika Avenue Honolulu, Hawaii	c/o Alfred A. Yee & Associates Suite 810, Ala Moana Building 1441 Kapiolani Boulevard Honolulu, Hawaii
Phone: 595-3426	Phone: 946-3161
Plaintiff's Attorney:	*Defendant's Attorney:*
Robert G. Hogan, Esq. Suite 326, Dillingham Transportation Bldg. 735 Bishop Street Honolulu, Hawaii 96813	Edward Y.C. Chun, Esq. 14th Floor, Amfac Building 700 Bishop Street Honolulu, Hawaii 96813
Phone: 531-6851	Phone: 531-6575

APPENDIX "F(2)"

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1973 JUL 30 PM 2:14
Y. BABA
Clerk

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

FAMILY COURT
STATE OF HAWAII

JANICE YEE, Plaintiff, vs. ALFRED A. YEE, Defendant.	FC-D No. 81258 SUPPLEMENTAL DECISION AND ORDER

SUPPLEMENTAL DECISION AND ORDER

By decree dated March 1, 1973 the parties were granted an absolute divorce, with temporary custody of the three minor children awarded to Plaintiff. The decree provided that the parties were to consult with Jarret H.C. Ko, M.D., and that pursuant to submission of his report and its evaluation by the Court, permanent custody would later be determined. Although there was some consultation by the parties with Dr. Ko, there were insufficient contacts for him to submit a report to the

I do hereby certify that this a full, true, and correct copy of the original on file in this office.

/s/ Y. Baba
Clerk, Circuit Court,
First Circuit
State of Hawaii

APPENDIX "F(3)"

Court. In lieu thereof, and in order to provide more current information regarding the situation of the parties and of the children and to have the benefit of some psychiatric evaluation of the parties, the Court ordered that the parties and their five children be interviewed by the psychiatrist assigned as a consultant to the Family Court by the Department of Health. Based on the testimony of the parties and other witnesses in the hearing, the report of the social worker to the Court dated February 2, 1973, and the report of the psychiatrist dated July 18, 1973, it is the decision of the Court that the best interests of the minor children will be served by the award of their legal custody to the Defendant, their father, and it is so ordered.

It is the further order of the Court that rights of reasonable visitation shall be granted to the Plaintiff, and that at the present time such visitation shall be exercised as follows:

The minor children, namely, Eric, age 16, Malcolm, age 15, and Ian, who is almost 11, shall live with their father from Friday after school through Sunday night, and that they shall spend the time from Monday after school through Thursday night with their mother. Variation in this schedule will be permitted when it serves the children's best interest. As legal custodian, Defendant will have responsibility for final determination of matters relating to the children's education, medical care, support, discipline, living arrangements, authority to drive or to determine with whom the children shall be permitted to ride in a car, and to direct the children insofar as their own duties and obligations are concerned.

All other provisions contained in the decree of divorce shall remain in effect, provided that the provisions of paragraph 8 requiring the parties to consult with Dr. Ko shall no longer be in effect, and provided further that the provisions of paragraph 9 shall be amended to include that the Defendant will be responsible for payment of the Chun Hoon Pharmacy account as well as the Chun Hoon Super Market account.

Further hearing in the matter will be held to resolve the questions not heretofore or herein settled on Wednesday August 29, 1973 at 9:00 A.M. at which time counsel shall submit to Court, if they are unable to effect a settlement prior thereto, competent evidence relating to all interests in property held by both parties and by the children and to all other financial matters.

DATED: Honolulu, Hawaii, July 30, 1973.

/s/ Betty M. Vitousek
JUDGE OF THE ABOVE
ENTITLED COURT

SEAL

cc: Robert G. Hogan, Esq.
Attorney for Plaintiff

Edward Y.C. Chun, Esq.
Attorney for Defendant

APPENDIX "F(3)"

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1974 MAY 10 AM 11:01
/s/ Y. BABA
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,	)	FC-D No. 81258
	)	
Plaintiff,	)	SECOND SUPPLE-
	)	MENTAL ORDER RE
vs.	)	TEMPORARY SUPPORT
	)	PAYMENTS
ALFRED A. YEE,	)	
	)	
Defendant.	)	
	)	
	)	

SECOND SUPPLEMENTAL ORDER
RE TEMPORARY SUPPORT PAYMENTS

Following the Decree of March 1, 1973 (hereafter Decree), and further decision and orders which have been filed in this case, the parties and their counsel and the Guardian Ad Litem appeared for further testimony on April 18, 1974, after which the Court took all matters set forth in paragraph 11 of the Decree under advisement for final decision.

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

/s/ Y. Baba
CLERK, CIRCUIT COURT,
FIRST CIRCUIT
STATE OF HAWAII

APPENDIX "F(4)"

The Court understands that counsel are still reviewing certain financial information and have not completed their study of this information, and therefore the final decision as to disposition of property, alimony, attorney's fees, insurance coverage and the like must be held in abeyance for a short period of time. The Court desires to bring all matters pending in this case to an early disposition, but because the financial issues are complicated, such final decision cannot be completed without due study and thoroughness.

Pending the entry of a final decision in this case, there is no reason why existing orders should not be amended to allow Plaintiff to assume more direct responsibility for the payment of certain obligations relating to the family home at 3169 Alika Avenue, Honolulu. These obligations are set forth in paragraph 5 of the Decree and include expenses relating to the upkeep of the home, such as mortgage payments, real property taxes, insurance charges, utility charges, charges for yard service, household help and the like. In addition, there is no reason why Plaintiff should not assume sole responsibility for her food purchases and other purchases at Chun Hoon Super Market, which at the present are the responsibility of Defendant under paragraph 9 of the Decree.

The present arrangement whereby Defendant pays Plaintiff $1,000 each month to facilitate the purchase by Plaintiff of food for herself and the children when they reside with her, and to meet transportation, clothing, recreational and other miscellaneous expenses, has not proven satisfactory, and has caused much conflict and tension between the parties.

In order to ease the existing tensions and anxiety, the Court will delete paragraph 5 of the Decree and will amend paragraph 9 of the Decree as follows:

"9. *PAYMENTS BY DEFENDANT TO PLAINTIFF.* Commencing May 1, 1974, and until the further order of this Court, Defendant shall pay directly to Plaintiff, the sum of $2,200.00 per month on the 1st day of each and every month. This sum is provided for the following purposes:

(a) To facilitate the purchase by Plaintiff of food for herself and the minor children who may be residing with her in the family home;

(b) To meet transportation, clothing, recreational and other miscellaneous expenses for Plaintiff and the minor children;

(c) To pay expenses relating to the upkeep of the family premises, including the mortgage obligation, real property

taxes, insurance charges, utility charges, charges for yard service, household help and the like, and all other charges relating to the maintenance, repair and upkeep of the family home."

From and after May 1, 1974, Plaintiff shall assume all of the expenses and obligations set forth above, and Defendant shall not be liable for any of said payments so long as he continues to pay the monthly amount set forth above.

Any charges made after May 1, 1974, for services related to the family home, and any charges made after May 1, 1974, at Chun Hoon Super Market, and any other charges made by Plaintiff, shall be her sole responsibility and shall not be the obligation of Defendant.

Any amounts previously paid by Defendant to Plaintiff in May, 1974, shall be a credit against the amount set forth above.

Matters raised at the April 18th hearing relating to the payment of "reimburseables" and the payment of unpaid bills will be decided with the final decision. All other existing orders shall remain as they now stand.

DATED: Honolulu, Hawaii, May 10, 1974.

/s/ Betty M. Vitousek
Judge of the above-entitled Court

SEAL

cc: Edward Chun, Esq.
Attorney for Defendant
Robert Franklin, Esq.
Attorney for Plaintiff
Harold Nichelsen, Esq.
Guardian Ad Litem for Plaintiff

APPENDIX "F(4)"

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1974 SEP 17 PM 1:48
/s/ E.K. BUSH
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,	)	FC-D. No. 81258
	)	
Plaintiff,	)	FURTHER
	)	SUPPLEMENTAL
vs.	)	DECISION AND ORDER
	)	
ALFRED A. YEE,	)	
	)	
Defendant	)	
	)	

FURTHER SUPPLEMENTAL DECISION AND ORDER

Based on a review of the testimony and exhibits herein, the Court orders that defendant shall pay the following bills, if outstanding which were incurred through April 30, 1974 by or for the benefit of plaintiff, or by plaintiff for the benefit of the parties' minor children, as provided in the Decree of Divorce dated March 1, 1973:

Hawaiian Telephone Company (Regular monthly rentals)	$14.31 month
Allen's Tree Experts	200.00
Val's Appliance Repair Service	50.00
Family TV and Appliance, Inc.	50.00
Herb Jackson, General Contractor, Inc.	67.81
Hawaiian Electric Company, Inc.	200.00
Guerrero's Electric	147.93

APPENDIX "F(5)"

In addition, defendant shall pay to plaintiff $1081.50 representing approximately one-half of the refund received by reason of overpayment of the parties' 1972 personal income taxes. No award is made for repayment by defendant to plaintiff of the amount expended by her in satisfaction of her 1973 income taxes.

In respect to reimbursement of expenses plaintiff alleges she paid out on items defendant was ordered to pay under the terms of the March 1, 1973 Decree, the following disposition is made.

The Court is allowing and defendant is hereby ordered to pay to plaintiff the following repayments, provided plaintiff in fact made such payments and has not already been reimbursed:

1) For Mandarin lessons and books purchased for Ian through April 30, 1974 ..... $135.00
   (but thereafter plaintiff shall be solely responsible for expenditures which she makes or for services she provides or arranges for the children.)
2) To Duarte and Sons Plumbing for March 1974 ..... $18.00
3) For yard fixtures purchased in March 1974 ..... $352.35
4) For miscellaneous household construction items (lock, shower door latch, vacuum repairs and belt, keys, etc.) $25.00
5) For Eric's traffic ticket $15.00
6) For repairs for Ian's bicycle $16.85

$562.20

The Court is disallowing reimbursement to plaintiff for all other sums claimed by plaintiff including amounts claimed to have been paid by her for yard service and "maid service" or "housework", unless and until plaintiff can present to the Court cancelled checks or receipts signed by the persons performing such services; and is disallowing claims advanced for 1972 expenses.

Payment of all sums above ordered shall be made by defendant to plaintiff within thirty (30) days of the date of this Order.

DATED in Honolulu, Hawaii, June 10, 1974.

/s/ Betty M. Vitousek
JUDGE OF THE ABOVE
ENTITLED COURT

SEAL

cc: Robert Franklin, Esq.
Attorney for Plaintiff
Edward Y.C. Chun, Esq.
Attorney for Defendant
Harold W. Nickelsen, Esq.
Guardian Ad Litem for Plaintiff

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1974 OCT 24 AM 11:49
/s/ E.K. BUSH
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,	)	FC-D No. 81258
	)	
Plaintiff,	)	FOURTH
	)	SUPPLEMENTAL
vs.	)	DECISION AND ORDER
	)	
ALFRED A. YEE,	)	
	)	
Defendant.	)	
	)	
	)	

FOURTH SUPPLEMENTAL DECISION AND ORDER

The Further Supplemental Decision and Order filed herein on June 10, 1974 provided, inter alia, that "defendant shall pay to plaintiff $1582.00 representing approximately one-half of the refund received by reason of overpayment of the parties' 1972 personal income taxes." At the time such Order was entered, the Court labored under two mistakes as to the facts relating to the 1972 personal income taxes: (1) defendant received a refund from the State Tax Department in the amount of $2,163 (not $3,164, from which the Court had computed the one-half ordered to be paid to plaintiff of $1,582); (2) the Court was unaware that, although the parties were entitled to a refund from the State Department of Taxation, they owed an additional payment to Internal Revenue Service of $2,803, leaving a net balance of $640 owed on 1972 personal income taxes rather than a net refund received.

The Court finds that defendant is therefore not obligated to make any payment to plaintiff respecting the parties' 1972 personal income taxes, and it is the order of the Court that the first sentence of paragraph one, page 2 of the Further Supplemental Decision and Order of June 10, 1974 be stricken.

Pending final decision of matters reserved in prior decrees and orders, defendant shall not be responsible for payment of plaintiff's income taxes or reimbursement to her for amounts paid by her on account of 1974 income taxes. Plaintiff was solely responsible for payment of her 1973 taxes under the provisions of the Further Supplemental Decision and Order of June 10, 1974 (page 2, second sentence, first paragraph) which states: "No award is made for repayment by defendant to plaintiff of the amount expended by her in satisfaction of her 1973 income taxes."

Defendant was ordered on June 10, 1974 to pay the Family TV bills *incurred* through April 30, 1974. Plaintiff's August 22, 1974 request for payment (which the Court received in evidence on September 6, 1974 as Plaintiff's Exhibit 2) shows that payments were made to Family TV by plaintiff on May 10 and June 4, 1974, but does not show whether the unreimbursed bill of $45.74 for which plaintiff seeks reimbursement was incurred prior to April 30, 1974. If in fact the service which resulted in the Family TV billing for $45.74 was provided prior to April 30, 1974, then defendant shall reimburse plaintiff in that amount.

The Court denies the request of plaintiff for payment of "Lost alimony from Oct. 1972–Apr. 30, 1974." The increase in alimony from $1,000 (which defendant paid voluntarily from October 1972 through January 31, 1973, and commencing February 1, 1973, by Court order) to $2,200 (commencing May 1, 1974) was based on the transfer from defendant to plaintiff of responsibility for payment of certain ongoing monthly expenses for plaintiff's maintenance, and reflected the approximate aggregate of payments which defendant had been making for and on behalf of plaintiff for the mortgage, real property and other taxes, household repairs and insurance, utilities, yard services, household help (if any), food, household and drug supplies charged at Chun Hoon, and the like.

The Order of June 10, 1974 provided that "The Court is disallowing reimbursement to plaintiff for all other sums claimed by plaintiff including amounts claimed to have been paid by her for yard service and 'maid service' or 'housework', unless and until plaintiff can present to the Court cancelled checks or

receipts signed by the persons performing such services; and is disallowing claims advanced for 1972 expenses."

In respect to claims for reimbursement for payments made for housework:

A. Claims arising for such services performed during 1972 are disallowed; and claims arising for such services performed prior to the entry of the Decree entered March 1, 1973 are disallowed.

B. Claims arising for such services performed between March 1, 1973 and April 30, 1974 may be allowed upon presentation by plaintiff of legally sufficient evidence.

It is the finding of the Court that the necessity still exists for a guardian ad litem for plaintiff, that Harold W. Nickelsen is a competent, suitable guardian, and the Court denies plaintiff's request that such Harold W. Nickelsen be dismissed.

The provisions of the Supplemental Decision and Order entered July 30, 1973 awarding legal custody of the parties' minor children to defendant and establishing a visitation schedule with plaintiff are confirmed. While the Court is deeply troubled by denying plaintiff's request that the children be ordered to spend week-ends with her, still the Court has no reason to believe that the plaintiff's mental condition (which prevents plaintiff from perceiving the extent of her own disability and thus from accepting psychiatric treatment), has improved, and the Court is mandated by law to base its decisions regarding the children on its perception of how their welfare can best be served.

The Court has been advised, however, that the two sons who are now a senior and junior in high school are alternating spending week-end nights in their mother's home, and the Court commends them for their concern and their voluntary action in this respect.

All other outstanding issues between the parties are further reserved.

DATED: Honolulu, Hawaii, September 17, 1974.

/s/ Betty M. Vitousek
JUDGE OF THE ABOVE
ENTITLED COURT

SEAL

cc: Robert A. Franklin, Esq.
Edward Y. C. Chun, Esq.
Harold W. Nickelsen, Esq.

APPENDIX "F(6)"

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 FEB [illegible] AM 11:26
/s/ R.S. [illegible]AMADA
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,	)	FC-D No. 81258
Plaintiff,	)	FIFTH SUPPLEMENTAL DECISION AND ORDER
vs.	)	
ALFRED A. YEE,	)	
Defendant.	)	

FIFTH SUPPLEMENTAL DECISION AND ORDER

On October 9, 1974 Defendant filed a "Motion to Amend Second Supplemental Order Re Temporary Support Payments and To Enter Final Order Upon Receipt of Further Testimony re Division of Property."

After chamber conference with counsel for each party and Plaintiff's Guardian ad Litem on October 11, 1974, hearing was held and testimony taken on October 18, 1974.

A final order in respect to division of property cannot yet be entered herein because property valuations are still not either

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

/s/ E. K. Bush
Clerk Circuit Court, First
Circuit
State of Hawaii

APPENDIX "F(7)"

agreed upon by counsel or presented to the Court with sufficient specificity for the Court to arrive at such valuation. The Court was again advised that accountants employed by or for the parties are conferring in an effort to reach a consensus as to value.

The Court feels constrained, however, to state that Plaintiff's repeated demand for a cash settlement of three million dollars cannot be met. However justified Plaintiff may regard the demand as representing the value of her services to Defendant during the nearly nineteen years the parties lived together, it is not a realistic estimate of Defendant's capacity to pay or of his assets. When the total value of the parties' assets, including those owned solely by Plaintiff, has been computed, the Court will detail a formula for their division. In the meantime the Court can deal only with support for Plaintiff.

The level of support at which Defendant has been maintaining the family for approximately the last two years has exceeded his substantial income of almost $7,400 per month by several hundred dollars. Defendant has been solely responsible for the support, maintenance and private schooling of five children, two in mainland colleges, and three in Punahou (except that Plaintiff pays for the food for three children four days per week). Defendant has paid Plaintiff $2,200 per month for her support and maintenance (of which she has now committed herself to monthly payments of over $400 for her purchases of undeveloped land on the mainland and of an additional amount for publication of her books).

Because of the slump in construction occasioned by economic recession, Defendant's engineering business is now critically affected, and Defendant is unable to draw his salary. Each person dependent on Defendant, including Plaintiff, will be required to effect immediate and substantial economies in living expenses in order to meet the crisis of Defendant's severely diminished cash flow.

It is not the intent of the Court at present to amend the order in respect to Defendant's obligation to pay support to Plaintiff of $2,200 per month, but only to permit Defendant to defer payment of a portion during the period of the emergency. The Court does, however, reserve the question of reduction of alimony (including the possibility of a retroactive reduction to the date of the filing of Defendant's Motion of October 9, 1974), until the level of earnings of Defendant's business interests stabilizes. A review of current liability for payment of alimony shall be scheduled for approximately three months from the date of this Supplemental Order.

It is the order of the Court that Defendant shall pay to Plaintiff, of the sum of $2,200 he is presently obligated to pay to her, the amount of $1,600 for the month of October 1974, and thereafter, until Defendant receives his usual salary or sufficient salary to enable his resumption of the full alimony payment or until the further order of the Court, the amount of $1,400 per month. If Plaintiff contends she is unable to meet basic necessary monthly expenses with the amounts ordered herein to be paid to her during this temporary period, she may submit a current detailed Income and Expense Statement to the Court through her counsel.

Plaintiff's requests that Mr. Franklin be relieved of his position as Plaintiff's counsel and Mr. Nickelsen of his status as Guardian Ad Litem are denied, subject to the Court's reconsideration upon the further consultation of Plaintiff with Dr. K. Y. Lum, with whom both parties have previously consulted, and the filing of an appropriate report by Dr. Lum or the taking of his oral testimony in court.

DATED: Honolulu, Hawaii, October 24, 1974.

/s/ Betty M. Vitousek
JUDGE OF THE ABOVE
ENTITLED COURT

SEAL

APPENDIX "F(7)"

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 APR 4 AM 11:51
/s/ R.S. YAMADA
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,	)	FC-D No. 81258
	)	
Plaintiff,	)	ORDER DISCHARGING
	)	
vs.	)	GUARDIAN AD LITEM
	)	
ALFRED A. YEE,	)	
	)	
Defendant.	)	
	)	
_____	)	

ORDER DISCHARGING GUARDIAN AD LITEM

The Court having been advised that Plaintiff herein on February 10, 1975 filed an action in the Circuit Court of the First Circuit in Civil No. 44244, *Janice Ching Yee* vs. *Harold Nickelsen,* her Guardian Ad Litem by order of this Court dated November 2, 1973, and against the law firm of *Conroy, Hamilton, Gibson, Nickelsen & Rush,* of which Mr. Nickelsen is a partner, it is the order of the Court that Harold W. Nickelsen be and he is hereby discharged as Guardian Ad Litem for Janice Ching Yee, with the commendation of the Court for his conscientious services on Plaintiff's behalf pursuant to his appointment as said guardian.

DATED: Honolulu, Hawaii, February 12, 1975.

/s/ Betty M. Vitousek
JUDGE OF THE ABOVE
ENTITLED COURT

SEAL

APPENDIX "F(8)"

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1975 APR 4 11:51
/s/ R.S. YAMADA
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE C. YEE,	)	FC-D No. 81258
	)	
Plaintiff,	)	SIXTH SUPPLEMENTAL
	)	DECISION AND ORDER
vs.	)	PROVIDING FOR
	)	DIVISION AND
ALFRED A. YEE,	)	MANAGEMENT OF
	)	PROPERTY; FOR SUP-
Defendant.	)	PORT AND MAINTE-
	)	NANCE OF PLAINTIFF;
	)	FOR CUSTODY, SUP-
	)	PORT, MAINTENANCE
	)	AND EDUCATION OF
	)	CHILDREN; AND
	)	DETERMINING OTHER
_____	)	MATTERS AT ISSUE.

SIXTH SUPPLEMENTAL DECISION AND ORDER PROVIDING FOR DIVISION AND MANAGEMENT OF PROPERTY; FOR SUPPORT AND MAINTENANCE OF PLAINTIFF; FOR CUSTODY, SUPPORT, MAINTENANCE AND EDUCATION OF CHILDREN; AND DETERMINING OTHER MATTERS AT ISSUE

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

/s/ R.S. YAMADA
Clerk, Circuit Court, First
Circuit
State of Hawaii

APPENDIX "F(9)"

This Court on March 1, 1973 entered its Decree granting absolute divorce, reserving "... the disposition of property, alimony, child support payments, attorneys' fees, [and] insurance coverage..." On July 30, 1973 the Court entered a Supplemental Decision and Order awarding legal custody of the minor children to Defendant. It is the present finding and decision of the Court that the provisions of said Supplemental Decision and Order awarding custody of the children to Defendant best serve the interests of the children without modification.

The Court decides herein all matters reserved in the Decree of March 1, 1973.

Because of the unique circumstances and protracted nature of these proceedings and in order to protect the parties' personal and professional welfare and the best interests of their children, the Court is filing a Supplementary Statement to Sixth Supplemental Decision and Order covering the history of this litigation, factors on which property valuations as set forth therein are based, rationale in determining the proportionate share of the assets awarded to each party, circumstances considered by the Court in respect to support and maintenance of Plaintiff, creation of a trust for her benefit and her removal as trustee under trusts for the children and in respect to the custody of the children, and matters related to civil suits filed by Plaintiff.

The Supplementary Statement should be read by the parties as part and parcel of this Decision and Order. It shall be retained, together with other documents which are a part of the record herein and which shall be designated in an appendix to this Decision and Order, in a Confidential File. The Confidential File shall be available, even to a party to these proceedings or one acting on behalf of such party, only by order of a Judge of the Family, Circuit or Supreme Court of this State. The index of the case shall list such documents and indicate that they are preserved in the Confidential File, which file shall be retained in the custody of the Chief Clerk of the First Circuit Court or his assistant in charge of the Legal Documents Branch.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT:

I. *DIVISION OF PROPERTY*

(a) *Division in Favor of Plaintiff:*

(1) Plaintiff shall have as her sole and separate property all real and personal property as of the date hereof standing in her own name, specifically including but not limited to 800 shares of American Security Bank; 80 shares of Lum Yip Kee, Ltd., her shares of Dillingham Corporation, AmFac Inc. and City Mill Co., Ltd.; Lot 16 at Hoopulua, South Kona; her interest in unimproved lots in Washington and Arizona; her automobile; savings and checking accounts; all interests in the estates of or trusts established by her parents; and, subject to the mortgage encumbrance, the residence at 3169 Alika Avenue, including the household furniture, fixtures and equipment located therein.

(2) Defendant shall pay to Plaintiff a sum in gross in the amount of $105,000, payable without interest, in monthly installments of $350 each, commencing as of the 5th day of July, 1975 and continuing on the 5th day of each and every month thereafter until paid in full, subject to the following:

(a) If at any time Plaintiff shall require supplemental income to cover uninsured hospitalization, medical and psychiatric costs and expenses reasonably required to provide for her health and well being, Plaintiff, or some proper person on her behalf, may apply to this Court for entry of its order increasing the amount of the monthly installments.

(b) In the event that Plaintiff shall predecease Defendant, the balance of the payments shall be paid as Plaintiff directs by a valid instrument of disposition, or, in the absence of a valid instrument of disposition shall be paid to the issue of the parties from time to time surviving, per stirpes.

(c) In the event that Defendant shall predecease Plaintiff, Defendant's estate shall be obligated for the payment of the remaining balance of said $105,000, which obligation shall be satisfied by the payment of said balance to the trustee named pursuant to paragraph (4), infra, to be administered in accordance with the terms of the trust therein mentioned.

The obligations of Defendant herein shall be secured by an assignment in favor of the trustee named pursuant to paragraph (4), infra, of one-half of Defendant's presently vested rights to the beneficial interest as a participant in the Alfred A. Yee & Associates, Inc. Profit Sharing Plan. Said assignment shall not be revoked except upon further order of this Court and then only upon the substitution of other security having then a reasonably ascertainable market value equal to not less than 125% of the balance of said obligation of $105,000 and a reasonable liquidity.

(3) Defendant shall convey to Plaintiff within 40 days of the entry of this Order by a good and sufficient quitclaim deed, all his right, title and interest in and to Lot 5514 at Keaau, Puna,

Hawaii, and in and to one cemetery plot at Oahu Cemetery.

(4) (a) *Defendant's Creation of Trust:* Defendant shall create a trust for the benefit of Plaintiff, the terms, conditions and trustee of which shall be subject to the approval of the Court and which shall become effective as of July 1, 1975. The purpose of said trust shall be to receive and manage certain properties and assets herein awarded to Plaintiff as a division and distribution of marital property and to assure the use and productivity of said properties and assets for the benefit and maintenance of Plaintiff throughout her lifetime. Defendant shall, within 20 days after entry of this Order, present a form of trust instrument and a trustee for approval by this Court. The trust instrument shall provide that the trustee shall have the discretion, power and authority to pay to Plaintiff or to apply on her behalf such portion of the trust income and principal as may from time to time be required to promote her welfare, having regard for all other income and capital available to her from all sources known to the trustee, said trust to terminate on Plaintiff's death. Upon termination, the principal and interest then remaining shall be distributed as directed by Plaintiff by valid instrument of disposition, and in the event of failure so to direct, then said principal and accrued income shall be distributed to the issue of the parties per stirpes.

Defendant shall convey to the trustee appointed under the terms of said trust, the following assets:

(i) One-half of Defendant's interest in the receivable from Noble's Furniture;

(ii) One-half of the reversionary interest in the trust dated July 8, 1970 of which the parties' children are the present beneficiaries;

(iii) Additional property now belonging solely to Defendant which is valued at no less than $80,000, said property and its valuation to be approved by the Court, or, in lieu thereof, Defendant shall execute a promissory note for $80,000 payable to the trustee named in accordance with this section, bearing interest at the rate of 5% per annum, interest only payable monthly to said trustee. With respect to payment of the principal of said promissory note, to the extent that any portion of said $80,000 remains unpaid at such time as distribution is made to Defendant of the remaining balance of his share in the reversionary interest in the children's trust or at such time as Defendant, or his estate, is entitled to receive Defendant's vested interest in Alfred A. Yee & Associates, Inc. Profit Sharing Trust, said funds so distributed to Defendant or to his estate from each source shall be paid to the said trustee in an amount necessary to pay the then balance of said note in full.

(4) (b) *Plaintiff's Assignment of Life Insurance Policies to Trust:* Upon the creation of the trust and the appointment of a trustee approved by the Court as provided above, Plaintiff shall assign the ownership of John Hancock policies numbered 6577636, 7078250, and 7552499, or such of the named policies as are then in effect, to said trustee, to be held, administered and disposed of in accordance with the terms of the trust.

The trust instrument shall provide that the trustee shall, from and after the inception of the trust, maintain said policies and pay the premiums thereon from the interest or other income received by said trustee pursuant to paragraph I(A)(4)(a)(iii) herein or from such other income or, if necessary, principal, as said trustee may from time to time receive. Said trustee may apply the cash surrender value of said policies to fund premium payments so long as the net proceeds value of said policies shall not be less than $250,000.

In the event Plaintiff has failed to effect the assignment of the ownership of said policies as herein ordered by July 10, 1975, the Chief Clerk of the Circuit Court, First Circuit, is hereby appointed as commissioner with power and authority to assign the ownership of said policies to the trustee of the trust created and constituted as herein or hereafter ordered.

(B) *Division in Favor of Defendant:*

Defendant shall have as his sole and separate property all real and personal property now standing in his own name except as otherwise provided herein, specifically including but not limited to his interest in Alfred A. Yee & Associates, Inc.; in various real property partnerships; in patent rights; in life insurance policies; his residence in the Kahala Beach Apartments, savings and checking accounts; and all interests in the estates of and trust established by his parents.

In addition Plaintiff is ordered to convey to Defendant within 40 days of the entry of this Order by a good and sufficient quitclaim deed, all of her right, title and interest in and to four cemetery plots at Oahu Cemetery.

II. *SUPPORT AND MAINTENANCE OF PLAINTIFF*

(A) *Plaintiffs Needs:*

The Court finds that Plaintiff's reasonable needs for support from Defendant at the level at which she was maintained dur-

ing the latter part of the marriage, based on her continued residence in her Alika Avenue house, on her freedom from responsibility for making premium payments on life insurance on Defendant's life (said premiums to be paid by the trustee herein named), and on her responsibility for payment of her own income taxes on alimony and other income, are $2,000 per month. The Court further finds that Plaintiff could curtail and should reduce her expenses in the event Defendant's gross monthly income falls below $6,000 per month but that she should have additional monthly income for such expenses as travel and pursuing hobbies or special interests should Defendant's gross monthly income exceed $7,000.

(B) *Defendant's Obligation:*

Defendant shall during his lifetime pay to Plaintiff as periodic alimony for the purpose of supplementing and defraying the cost of Plaintiff's support and maintenance (including her liability for taxes incurred by reason of such payments), and for the food and incidental expenses incurred during periods of visitation by children of the parties, the following sums:

(1) Commencing in October, 1974 and continuing through June of 1975, payable directly to Plaintiff, the sum of $1,600 per month.

(2) Commencing in July, 1975 and payable to Plaintiff:

(a) during such periods as Defendant receives gross income of less than $6,000 per month, the sum of $1,250 per month;

(b) during such periods as Defendant receives gross income of between $6,000 and $7,000 per month, the sum of $1,650 per month;

(c) during such periods as Defendant receives gross income of over $7,000 per month, the sum of $1,850 per month.

(3) In addition to the support of $1,600 per month to be paid to Plaintiff, Defendant shall pay an additional sum of $200 per month for the months of November and December, 1974 and January and February, 1975 for a total of $800, to Chun Hoon Market to reduce Plaintiff's debt to said company.

(4) Defendant shall be liable for payment of premiums on the John Hancock life insurance policies on his life owned by Plaintiff in the face value of at least $250,000, from the date of the parties' divorce through June 30, 1975.

III. *SUPPORT AND PROPERTY INTERESTS OF CHILDREN*

(A) *Support, Maintenance and Education of Children:*

Defendant shall be solely responsible for and shall pay all expenses for the reasonable support, maintenance and education of the children of the parties excepting expenses for food and lodging during periods when the minor children of the parties shall reside with Plaintiff and except to the extent that the income produced from the Harmon Field Warehouse Joint Venture Trust of July 8, 1970 is available for their educational requirements, until each of them shall have attained the age of majority and shall have completed his or her formal education, including college and post-graduate education.

(B) *Appointment of Successor Trustee:*

For the purpose of assuring an independent and competent administration of the property interests of the children of the parties, this Court will confirm such trustee as Defendant shall designate, other than Plaintiff or Defendant, as successor trustee of the trusts dated July 12, 1967 and September 10, 1968.

IV. *DEBTS*

Except as otherwise provided herein, each party shall be responsible for payment of all debts and obligations he has incurred since the parties' divorce. Defendant shall assume and pay all debts incurred in respect to his business or financial transactions and shall hold Plaintiff harmless thereon. Subject to the approval of the Court, Defendant shall assume and pay all liabilities incurred by either party during the marriage which remain unsatisfied, except that Plaintiff shall retain the Alika Avenue residence subject to the mortgage thereon.

To the extent that demand is made by the John Hancock Mutual Life Insurance Co. for repayment of loans on policies on Defendant's life numbered 6577636, 7078250, and 7552499, Defendant shall repay said loan balances.

V. *PLAINTIFF'S ATTORNEYS' AND GUARDIAN AD LITEM FEES*

It is the finding of the Court that Plaintiff's attorneys and her guardian ad litem have competently represented Plaintiff and have conscientiously endeavored to promote her best interests.

Defendant shall pay to Robert G. Hogan, Esq., former attorney for Plaintiff, the sum of $2,000 as and for additional attorney's fees; to Robert A. Franklin, Esq., the sum of $3,500 as and for attorney's fees; and to Harold W. Nickelsen, Esq., the sum of $4,500 as and for guardian ad litem fees. In addition,

Defendant shall reimburse any of the above named for any court costs advanced by them, or incurred in respect to these proceedings, including but not limited to Peat, Marwick, Mitchell & Co. in the amount of $165 and Herbert C. Dunn in the amount of $275.

VI. *MODIFICATION OF DECREE*

To the extent that any provisions of the Decree of March 1, 1973 or of Supplemental Decrees or Orders are inconsistent with the provisions hereof, the same are modified by the provisions hereof.

DATED: Honolulu, Hawaii, April 4, 1975.

/s/ Betty M. Vitousek
JUDGE OF THE ABOVE
ENTITLED COURT

SEAL

cc: Robert A. Franklin, Esq.
Edward Y.C. Chun, Esq.
Robert G. Hogan, Esq.
Harold W. Nickelsen, Esq.

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1975 APR 11 PM 3 53
/s/ V. Ching
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE, Plaintiff, vs. ALFRED A. YEE, Defendant.	FC-D No. 81258 SUPPLEMENTARY STATEMENT TO SIXTH SUPPLEMENTAL DECISION AND ORDER

SUPPLEMENTARY STATEMENT TO SIXTH SUPPLEMENTAL DECISION AND ORDER

I. *HISTORY OF LITIGATION*

This matter has been before the Court since Plaintiff-wife's filing of a Complaint for Divorce on September 14, 1972. The first hearing herein was held on February 12, 1973 at which time the Court found that the marriage was irretrievably broken and awarded Plaintiff a divorce. Temporary custody of the parties' children, three of whom were then minors, was granted to Plaintiff. Orders for the temporary support of Plaintiff and the children were entered. On March 1, 1973, a Decree Granting Absolute Divorce and Awarding Child Custody was filed, reserving "the disposition of property, alimony, child support payments, attorneys' fees, insurance coverage . . . ."

On July 20, 1973 a hearing was held which was concerned primarily with custody of the children, and on July 30, 1973, a Supplemental Decision and Order entered granting the legal custody of the minor children to Defendant-husband, with Plaintiff's visitation rights set forth in some detail. Further hearing was scheduled for August 29, 1973 to consider a financial settlement between the parties but was in fact held on Fri-

day, September 7, 1973.

Following this hearing the Court, after consideration of the exhibits of both parties as to proposed property division and further consideration of documents submitted by Plaintiff, of her demeanor in court and of the evidence as to her mental health which was contained in the report and testimony of the consulting psychiatrist for Family Court, concluded that it was necessary to provide an independent and competent individual who could, acting on Plaintiff's behalf, realistically examine into and assess the parties' assets and propose a rational "statement of position" in lieu of Plaintiff's own proposal for a cash settlement of three million dollars, which proposal Plaintiff's counsel was required by ethical constraints to espouse. An Order Appointing Harold W. Nickelsen as Guardian Ad Litem for Plaintiff was entered on November 2, 1973.

Throughout the period from the filing of the Complaint, before and after the withdrawal, on March 8, 1974, of Plaintiff's original counsel and the appearance of her present counsel, counsel for both parties, and the guardian ad litem after his appointment, were attempting to arrive at valuations of the business interests of Defendant which were acceptable to all. Because Mr. Nickelsen was not satisfied that the values placed on Defendant's businesses and investments were accurate, he undertook to secure independent advice from certified public accountants and appraisers as to those values.

Meanwhile Plaintiff was distressed at the method of payment of her expenses established by the Decree of Divorce so a hearing was held on April 18, 1974, at which time evidence was submitted as to matters of temporary support together with an update of Defendant's statements of assets and liabilities. At the conclusion of the April 18, 1974 hearing the Court requested that both counsel and the guardian ad litem immediately confer and advise whether they could agree as to the accuracy of the estimated value of Defendant's assets and liabilities, or whether additional testimony would have to be taken prior to rendering a final order. Because counsels' and the guardian's review of financial information had not been completed by May 10, 1974, the Second Supplemental Order re Temporary Support Payments amended the decree only as to temporary support.

Thereafter, questions having arisen as to reimbursement to Plaintiff of certain bills which she had paid, a chamber conference was held with both counsel and the guardian ad litem on June 7, 1974, and on June 10, 1974 a Further (the third) Supplemental Decision and Order was entered. A Fourth Supplemental Decision and Order further clarifying matters of temporary support and reconfirming the necessity for a guardian ad litem for Plaintiff and for legal custody of the minor children in Defendant was entered on September 17, 1974.

During the period of these hearings and throughout the summer of 1974, while the accountants and appraiser retained by Plaintiff's guardian ad litem were reviewing Defendant's financial statements, Defendant's business (structural engineering, architecture, property investment and management) was suffering a severe setback precipitated by faltering economic conditions. At a chamber conference on October 11, 1974, the Court requested counsel and guardian ad litem to refer the appraisals to another accountant, if necessary for expeditious action, and rescheduled the case for further hearing on Friday, October 18, 1974.

At the October 18 hearing Defendant introduced evidence as to the deferment of his business salary, reduction of other income and as to the financial condition of his business interests. The Court was advised that the property valuations, which had meantime been adversely affected by the recession, had not yet been arrived at. The Fifth Supplemental Decision and Order, filed on October 24, 1974, provided that payment of a portion of the alimony be suspended, and again the Court declined to grant Plaintiff's plea that her counsel and her guardian ad litem be released unless or until Plaintiff undertook consultation with a psychiatrist and agreed to his submitting a report or testifying orally.

Throughout this period of time Plaintiff refused to disclose information and objected to inquiry directed to the Ching family to discover the value of her separate holdings inherited or received from her family. Ultimately, in order to avoid further distress to Plaintiff and to facilitate final hearing, Defendant's counsel requested, after chamber conference on December 27, 1974 that the Court withdraw its demand for Plaintiff's disclosure. Plaintiff's guardian ad litem advised the Court and counsel that the appraiser he had retained to evaluate Defendant's primary business, Alfred A. Yee & Associates, Inc. had concluded that the present value of the corporation could reasonably be found to be between the figures $275,000 (capitalized earnings value) and $352,000 (book value) ascribed to it by the corporation's accountants. The guardian ad litem's accountant's fig-

ures ranged from a capitalized earnings value of $275,000 to book value of $410,000.

Prior to the hearing herein on January 24, 1975, the guardian ad litem submitted his report to the court, in response to which Defendant's counsel filed a "Response to Report of Guardian Ad Litem; Memorandum in Support of Jurisdiction and Authority of Court in These Proceedings to Remove Trustee." Testimony was taken, evidence submitted and the matter taken under advisement by the Court.

II. *PROPERTY.*

(A) Property Values:

The Court has carefully considered all exhibits submitted in respect to property values and has reviewed extensive notes of the testimony of all witnesses in the several hearings held herein. The Court concludes (1) that the following values can reasonably be found to be the fair market (if appropriate) value of the parties' assets during the period from the filing of the divorce on September 14, 1972 to the entry of the decree on March 1, 1973 and (2) that present and contingent liabilities exist as set forth.

(1) Property in name of Defendant, Alfred A. Yee:

(a) Equity in Assets:

Alfred A. Yee & Associates, Inc. (57.8%)	$350,000
Alfred A. Yee Partnership A (48%)	120,000
Academy Gardens Limited Partnership (5%)	30,000
Tumon View Apts. Joint Venture (25%)	43,000
Harmon Field Warehouses Joint Venture (5.8%) Reversionary Interest in Trust	60,000
Harmon Field Warehouse Override (66 2/3%)	20,000
Alfred A. Yee & Associates, Inc. Profit Sharing Plan	208,000
Receivables, Nobles Furniture (40%)	0
Patents (based only on Defendant's estimate of his costs)	15,000
Frontier Industries stock	1,000
First Hawaiian Bank stock	10,000
Kahala Apartment	20,000
Unimproved lot, Keaau, Puna (50%)	7,500
Oahu Cemetery, five plots (50%)	1,500
Life Insurance, cash value	10,000
Cash in bank	21,000
Wages receivable (net vacation wages)	8,000
Household furnishings	7,000
	$932,000

(b) Liabilities—Present and Contingent:

Personal guarantee to First Hawaiian Bank on Loans to Alfred A. Yee & Associates, Inc.	340,000
Loans against John Hancock policies owned by Plaintiff on Defendant's life	92,000
Accrued capital gains taxes on unrealized appreciation	200,000±
Attorneys' and guardian ad litem's fees and costs	20,000±
Capital contributions requred in respect to Guam partnerships	Unknown
Current expenses (including alimony and life insurance premiums) accrued during period of deferment of Defendant's salary	Unknown

(c) Explanation of Assigned Values:

(i) Alfred A. Yee & Associates, Inc.: In respect to the value of Alfred A. Yee & Associates, Inc. the Court is mindful in setting the value at $350,000 (to which value Plaintiff's guardian ad litem assented): (aa) that the business is presently in a precarious condition; (bb) that its losses during the current fiscal year have greatly exceeded the expected losses on which the more recent estimates of the value of the corporation were conditioned; (cc) that it is not possible to arrive at a precise and fully defensible evaluation of any closely held, professional service corporation or business particularly when that business operates world-wide in fluctuating economic conditions.

The Court rejects the proposal of Defendant that since Plaintiff will share in the value of Alfred A. Yee & Associates, Inc., the income-producing vehicle which enables Defendant to provide alimony to Plaintiff and to maintain and educate the children, its value should not be toted up in computation of total assets or in the determination of a just and equitable division. The Court believes, however, that this fact may be considered in deciding the proportionate shares of assets to be awarded to each party.

(ii) Guam Partnerships: The following assets are treated by the Court as the "Guam Partnerships": Alfred A. Yee Limited Partnership A (four warehouses); Academy Gardens Limited Partnership; Tumon View Apartments Joint Venture; Harmon Field Warehouse Joint Venture; Harmon Field Warehouse Override. Plaintiff's guardian ad litem stated in his report submitted prior to the January hearing that the value of these assets had not been established to his satisfaction, and he recommended their division in kind.

The Court is satisfied, however, that the values placed upon these properties by the appraiser who was originally commissioned by Defendant and his partners to complete detailed appraisals of said properties for the purpose of securing long-term mortgage financing and who subsequently updated the appraisals in October 1974, reflect a reasonably accurate assessment of their values. The full appraisal reports in respect to Alfred A. Yee Partnership A (May 1973), Tumon View Apartments and Academy Gardens Apartments (June 1973), and Harmon Field Warehouse Joint Venture property (January 1974), were submitted to the Court. It is unlikely that appraisals which are instituted to secure mortgage financing will state a deflated value. The updated reports indicate a slightly higher aggregate value of the four properties than the earlier report, in spite of substantially depressed market conditions on Guam. Mindful of the guardian ad litem's concern, the Court has used in each case the highest figure among those provided by Defendant in his November 1972, June 1973 or October 1974 estimates of his equity in these partnerships.

(2) Property in name of Plaintiff, Janice Ching Yee:

(a) Equity in Assets:

(i) *Real Property:*		
Alika Avenue house –equity....	$190,000	
Unimproved lots:		
Keaau, Puna, Hawaii (50%) ...	7,500	
Hoopulua, Kona, Hawaii	30,000	
*Parcel in Washington State....	Unknown	
*Parcel in Juniperwood Ranch, Arizona.....	Unknown	
Cemetery plots: 5 in Oahu Cemetery (50%).....	1,500	
(ii) *Securities:*		
800 Shares, American Security Bank	20,000	
80 Shares, Lum Yip Kee, Ltd. .	Unknown	(cost value
*? Shares, Dillingham Corp.....	Unknown	$1,600)
*? Shares, American Factors ...	Unknown	
*? Shares, City Mill	Unknown	
(iii) *Interest in Janice K. L. Ching Yee Trust*	Unknown	
(iv) *Life Insurance* (Cash value applied to premiums).....	10,000	
(v) *Savings Accounts:*		
American Security Bank .....)	12,000	(approx.,
First Federal Savings & Loan.....)		as of 11/72)
First Hawaiian Bank .....)		
(vi) *Household Furnishings & Car* ..	16,000	(est.)

*These properties may have been acquired by Plaintiff after the Decree of Divorce was entered, but inasmuch as Plaintiff declined to provide any information in respect to them and as the Court did not assign any value to them, their listing herein is not prejudicial to Plaintiff.

In his testimony in the hearing on April 18, 1974, Defendant represented that to the best of his recollection, Lum Yip Kee, Ltd. in which Plaintiff holds 80 shares, owns the following properties among others: approximately 20 acres in the Kapiolani Blvd. area; 24 acres in Manoa Valley, 2 1/2 acres in Waikiki; some downtown property in Honolulu; and property in San Francisco. Based on this uncontroverted testimony the Court believes that even a minimum valuation of Plaintiff's interest in Lum Yip Kee, Ltd. greatly exceeds its cost value.

(b) Liabilities:

Plaintiff's accrued capital gains taxes on unrealized appreciation of her property were estimated by Defendant to be approximately $42,000 as of June 30, 1973.

(B) Considerations in Determining Proportionate Share of Each Party:

The report of Plaintiff's guardian ad litem, which, as indicated above, the Court accepts as a Statement of Position on behalf of Plaintiff, states (Page 3, "Division of Property"):

> "After twenty years of marriage Guardian feels Plaintiff is entitled to a substantial portion of the property held by the parties. Hereinafter Guardian employs a 50% division, which division may be excessive when consideration is given to all of the evidence before the Court upon a final hearing herein relative to values and obligations for child support."

The Court does not believe that an equal division of assets is either equitable or proper. Defendant has had, throughout the marriage and since the divorce, and will have in the future, the full financial responsibility for the maintenance of all seven family members (until the children complete their educations and except to the extent Plaintiff's sole property provides some income to her).

The Court has concluded that a distribution of approximately

1/3 of the combined assets of the parties to Plaintiff and of approximately 2/3 to Defendant reasonably reflects the realities of (a) the obligations placed upon Defendant for the support of the family. Plaintiff will continue to benefit throughout her life in the 2/3 share of the parties' assets which Defendant retains, because through these assets he will be required to provide sufficient support to assure that she has approximately $2,000 per month available to meet her needs; (b) the non-liquid form in which the assets are held, i.e., shares in Defendant's closely-held professional service corporation, partnership interests in real property developments, share in Defendant's profit-sharing plan (to which he will not be entitled until he retires or the company is dissolved), reversionary interest in a trust; (c) the present and contingent liabilities which Defendant must assume and pay which are not directly related to the support of his family, including attorneys' and guardian ad litem's fees and costs for this proceeding (in excess of $10,000 for Plaintiff alone), insurance loans, accrued income taxes on unrealized appreciation of assets, personal guarantee of First Hawaiian Bank loans made to Alfred A. Yee & Associates, Inc., and others.

(C) Creation of Trust:

The Court adopts the principle of establishing a trust as originally considered by the Court and as recommended by Mr. Nickelsen in the "Report of Guardian Ad Litem" dated January 15, 1975. The Report states:

> "... it would serve and protect the Plaintiff's best personal and financial interest if the property transferred to her as her sole property and that property which is presently held in her sole name and which this Court determines she shall continue to hold, be transferred to a corporate trustee of a spendthrift trust created by Defendant. The trust should provide that the income and principal thereof should be used for the support of Plaintiff in the manner to which she is accustomed and which is prudent in view of the assets of the trust and the financial ability of Defendant to pay periodic alimony. It should provide that upon the demise of Plaintiff that the remaining principal and interest shall be paid in equal shares to Plaintiff's surviving children unless otherwise appointed by Plaintiff during her life. The provisions of this trust and the appointment of the trustee would be subject to the approval of this Court and the indenture of trust would specifically provide that it could be terminated by this Court upon the Court's reconsideration after further consultation of Plaintiff with Dr. K.Y. Lum, or other M.D. approved by the Court, and the filing of an appropriate report by said doctor, recommending the termination of the trust as being in the best interests of the Plaintiff."

It is the Court's finding that Plaintiff's judgment and her capacity to make rational decisions are impaired, and that the management of her financial assets by a trustee will facilitate their preservation and use consistent with her long-range need for security and support.

III. *SUPPORT AND MAINTENANCE.*

Plaintiff, as stated in the prior decisions in this case, is unlikely to be able to provide for herself by gainful employment in the future. Even in his earliest position statement filed in 1972, Defendant acknowledged that it would be necessary for him to provide alimony for Plaintiff throughout her life. He then offered $2,000 per month, said amount to include Plaintiff's responsibility for making premium payments on life insurance policies which she owned on Defendant's life.

Plaintiff, as a wife of nearly 20 years (many of which she was a fully contributing partner in the maintenance of the family, a good mother and wife in all respects), is also entitled to a distribution of the parties' assets at the time of the dissolution of the marriage. Because of her present incapacities, however, her greatest need is for continued support. The major difficulty arises from the fact that, even when Defendant was regularly receiving his salary from Alfred A. Yee & Associates, Inc. of $72,000 a year, he was unable to meet the expenses of his family without supplementing that salary by receipts from capital, director's fees and interest income. These expenses included alimony for Plaintiff (sufficient to maintain herself in the former marital residence at the standard which she had enjoyed previously); maintenance of the two older children in private colleges and the three younger ones in Punahou; provision of a home for himself and the children in his custody; and the satisfaction of all his other obligations in respect to insurance, loan payments, and the like.

Additional complications at the present time are:

(1) That due to the recession in construction, to which his engineering firm is inextricably tied, payment of his salary together with that of other partners was completely deferred on September 1, 1974. From August 31, 1974 through January 1975, a period of five months, his income from all sources to-

talled only $3,000 to $4,000 rather than the usual almost $7,000 per month (before taxes). Although his regular salary is accruing on the company's books, the prospect of recouping the arrearage is slight under present economic conditions. Defendant's financial position is further compromised by the fact that his company has borrowed to capacity, that he has personally guaranteed the company's loans, and that the compny's operating losses for a period of one and a half years from July 1, 1973 through December 31, 1974 are $678,000;

(2) That because of his business situation he has resigned as a director of the First Hawaiian Bank and thus no longer receives his prior income from that source.

The Fifth Supplemental Decision and Order provided that Defendant pay to Plaintiff alimony of $1,600 for October 1974 and thereafter, $1,400, "until Defendant receives his usual salary or sufficient salary to enable his resumption of the full alimony payment or until the further order of the Court . . . ." The Order did not amend "Defendant's obligation to pay support to Plaintiff of $2,200 per month, but only [permitted] Defendant to defer payment of a portion during the period of the emergency." The Order reserved the question of reduction of alimony, including the possibility of a retroactive reduction to the date of the filing of Defendant's Motion of October 9, 1974; a retroactive but temporary reduction is ordered in the Sixth Supplemental Decision and Order.

IV. *OTHER MATTERS PENDING BETWEEN THE PARTIES OR IN RESPECT TO THIS LITIGATION:*

(A) Custody and Child Support:

Although the matter of custody has been settled since July 30, 1973, Plaintiff has made repeated requests that the legal custody of the children be returned to her or that visitation be rearranged so that she is not left alone on week end nights. The Court has found and continues to find that legal custody of the children in their father, Defendant, is in their best interests. The visitation schedule was designed to permit Plaintiff to share as much of the children's time as was likely not to be detrimental to their welfare, but the Court, heeding the recommendation of its own experts as well as direct observation, is convinced that they should spend week ends, when their time is not committed to school or primarily to homework, with their father. It would appear reasonable that Plaintiff, so long as she resides in the former marital residence of the family which contains six or seven bedrooms, could provide living accommodations to a couple or an individual in return for their spending the week end nights there. As stated in prior decisions, the older boys are encouraged but not required to sleep overnight at their mother's home on week ends.

(B) Plaintiff's Demands for Division of Proceeds of Sale of Properties Formerly Owned:

The record in these proceedings reflects many communications by Plaintiff to the Court, either directly or by copy of documents addressed to her counsel, making demands for one-half of the receipts received by Defendant from sales in investments or from other business transactions either during the last few years of the marriage or since the divorce. These transactions and investments were an integral part of the pattern of business and financial transactions by which Defendant generated the income which has supported Plaintiff and the children. The Court is taking into account for the purpose of computing the parties' assets and determining the division thereof, only those assets in which the parties had, at the time of the divorce, and still have, an interest.

(C) Removal of Plaintiff as Trustee:

Defendant was grantor and Plaintiff is the trustee of properties held for the parties' five children under trust agreements. The Trust Agreement of January 12, 1967 (paragraph 5) states:

> "*Successor trustee.* In the event that the Trustee herein shall die, resign, become incapacitated, or refuse to act further as trustee hereunder, the Grantor shall appoint her successor trustee. Any successor trustee shall have all the duties and powers assumed and conferred in this agreement upon the Trustee."

This Court found that good cause existed to appoint a guardian ad litem for Plaintiff, and did so appoint Harold W. Nickelsen on November 2, 1973. Mr. Nickelsen recommended in his Report of January 15, 1975, that the properties awarded to Plaintiff including those items of property which she presently holds in her sole name, be transferred to a corporate trustee of a spendthrift trust created by Defendant. The testimony in court and the written report submitted in evidence by Dr. Elizabeth Adams, consulting psychiatrist to Family Court, described Plaintiff as a "once very capable woman who is now disabled by severe chronic mental illness."

The Court finds that Plaintiff is incapacitated to act further as a trustee under any trust agreement or indenture of trust and

specifically under the Trust Agreements entered into between Defendant as grantor and Plaintiff as trustee. In respect to the Trust Agreement of January 12, 1967, Defendant as grantor is therefore empowered and obligated to appoint a successor trustee.

(D) Civil Suits Filed by Plaintiff:

On or about the date of a prior hearing herein on January 25, 1975, Plaintiff filed with this Court and thereafter with the Chief Clerk of the Circuit Court, what purported to be suits against the following defendants, all based on grievances related to the proceedings herein:

Edward Y.C. Chun, Defendant's counsel,
Robert G. Hogan, Plaintiff's former counsel,
Harold W. Nickelsen, Plaintiff's guardian ad litem,
James E.T. Koshiba, Chairman of its Ethics Committee and the Hawaii Bar Association,
Elizabeth Adams, M.D., consulting psychiatrist to Family Court and Geraldine Nagahisa, Family Court Officer.

Thereafter, she filed suit against her present counsel, Robert A. Franklin.

The Court read each of the suits in its entirety, and, while the Court recognizes that Plaintiff believes she has been maligned, demeaned, and inadequately represented, nevertheless this Court believes that the suits are without basis, that Plaintiff has been adequately represented by counsel, that her circumstances have been conscientiously considered and sought to be protected by her guardian ad litem; and that the psychiatrist assigned to and the staff social worker of Family Court faithfully discharged their responsibilities. Delays in the ultimate division of property were occasioned first by an effort to get Plaintiff to accept psychiatric assistance and thereafter to assure full disclosure of Plaintiff's assets (which Plaintiff resisted) and evaluation of Defendant's assets. The Court sincerely regrets the anxiety and distress to the parties and their children resulting from this delay.

Upon notification that Plaintiff had filed a civil suit (C. No. 44244) against her guardian ad litem, the Court discharged and released said guardian. The Court believes that a successor guardian ad litem should be appointed until all aspects of this cause which are not hereafter modifiable are settled. However, after inquiry to other attorneys, each of whom as requested that he be relieved of the obligation so to serve, based on vulnerability to suit for malpractice by Plaintiff with the concomitant increase in malpractice insurance rates, the Court is not now appointing a successor guardian ad litem. Members of Plaintiff's family have also declined to serve as guardian ad litem or to petition the Court for the appointment of a guardian of the person of Plaintiff.

DATED: Honolulu, Hawaii, Apr. 11, 1975.

/s/ Betty M. Vitousek
JUDGE OF THE ABOVE
ENTITLED COURT

SEAL

cc: Mrs. Janice Ching Yee
Robert A. Franklin, Esq.
Edward Y.C. Chun, Esq.

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1975 APR 11 PM 3 55
/s/ V. Ching
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,	)	FC-D No. 81258
	)	
Plaintiff,	)	SEVENTH
	)	SUPPLEMENTAL
	)	DECISION AND ORDER
vs.	)	
	)	
ALFRED A. YEE,	)	
	)	
Defendant.	)	
	)	

SEVENTH SUPPLEMENTAL DECISION AND ORDER

On April 1, 1975 Plaintiff, pro se, filed a Motion for Summary Judgment, reiterating her demand for a property settlement of three million dollars from Defendant and for custody of the parties' children. On April 4, 1975 she filed a document entitled "Previous Motion for Summary Judgment" to which she attached an "Additional Memorandum and Conclusion" and an Affidavit with an exhibit entitled "Money due for Mrs. Janice Ching Yee."

Prior to the hearing on April 4, 1975 of Plaintiff's Motion for Summary Judgment, the Court's Sixth Supplemental Decision and Order was entered and filed. At said hearing on April 4, 1975, at which the Court denied Plaintiff's Motion for Summary Judgment, Plaintiff:

1. Renewed her request that Mr. Franklin be discharged as her attorney;
2. Moved for a Reconsideration of the Sixth Supplemental Decision and Order or that it be stricken;
3. Moved for a Reconsideration of the Court's oral denial of Plaintiff's Motion for Summary Judgment.

The Court having re-examined the Plaintiff's Motions and attachments submitted April 1, 1975 and April 4, 1975, prior orders of the Court, and exhibits in evidence in this proceeding, and having re-considered the Sixth Supplemental Decision and Order and Plaintiff's Motion for Summary Judgment, hereby finds:

1. That all financial and other data submitted by Plaintiff in her recent pleadings and attachments were available to and considered by the Court prior to entry of the Sixth Supplemental Decision and Order;
2. That Plaintiff's demand for settlement of three million dollars is unrealistic and unreasonable and must be denied;
3. That the award to Plaintiff of custody of the minor children would not be in their best interests;
4. That the provisions of the Sixth Supplemental Decision and Order represent, on review and re-consideration, the most equitable determination of the unresolved issues which this Court can effect;
5. That it is necessary to assure that Plaintiff have access to counsel who is familiar with her case until this Order has been entered and until said counsel has advised Plaintiff in writing of her rights in respect to further action.

IT IS HEREBY ORDERED THAT:

1. Mr. Franklin be discharged as Plaintiff's counsel as of April 17, 1975;
2. That the provisions of the Sixth Supplemental Decision and Order be re-affirmed;
3. That Plaintiff's Motions for Summary Judgment and Motion to Strike Sixth Supplemental Decision and Order be denied.

DATED: Honolulu, Hawaii, Apr. 11, 1975.

SEAL

/s/ Betty M. Vitousek
Betty M. Vitousek
JUDGE OF THE ABOVE ENTITLED COURT

cc: Robert A. Franklin, Esq.
Edward Y.C. Chun, Esq.
Mrs. Janice Ching Yee

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1975 APR 28 PM 3 14
/s/ H. SETO
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,	)	FC-D No. 81258
	)	
Plaintiff,	)	EIGHTH
	)	SUPPLEMENTAL
vs.	)	DECISION AND ORDER
	)	
ALFRED A. YEE,	)	
	)	
Defendant.	)	
	)	
_____	)	

EIGHTH SUPPLEMENTAL DECISION AND ORDER

Upon consideration of Plaintiff's Motion for Retrial and for Amended Complaint, Motion for Summary Judgment or in the Alternative, Motion for Reconsideration of Judge's Decision, filed on April 11, 1975 with Memorandum, Exhibits and Affidavit of Plaintiff, of her Memorandum to Motion for Summary Judgment filed April 16, 1975, of her Memorandum and Addition in Support of Motion to Reconsider Judge's Sixth and Seventh Decisions, and upon consideration of the evidence and the oral testimony submitted by Plaintiff, including her "Complaints" filed April 23, 1975, at the hearing on April 23, 1975, the Court therein announced orally or hereby enters the following orders:

1. That all of Plaintiff's Motions now pending before this Court are denied, subject to reconsideration only if, within ten days of the date of the hearing on April 23, 1975, Plaintiff consults with a psychiatrist of her own choosing, submits to a psychiatric evaluation, and files in this Court her consent to the release of information and a report to the Court by such psychiatrist in respect to his evaluation and conclusion as to Plaintiff's mental condition, including consent to the appearance and testimony in court by such psychiatrist upon request of the Court.

2. That Defendant shall be responsible for payment of the costs of said psychiatric evaluation, and, if required, court appearance by such psychiatrist.

3. That in the event Plaintiff fails or refuses to submit to psychiatric examination or to consent to release of information to the Court in respect to such examination, the Court will entertain no further Motions by Plaintiff in respect to matters already herein determined.

4. That each party shall have thirty days from the date of approval by this Court of the trust instrument to be submitted by Defendant pursuant to paragraph I(A) (4) (a) of the Sixth Supplemental Decision and Order filed herein on April 4, 1975 to perfect a notice of appeal to the Supreme Court of Hawaii.

5. That Defendant shall assume forthwith payment of Plaintiff's obligation to Chun Hoon Market in the amount of $800.

6. That, in response to Mr. Chun's oral request for clarification in respect to whether the $200 per month in arrearages of alimony accrued during the months of November and December, 1974 and January, February and March, 1975 should be paid directly to Plaintiff or should be placed in the trust to be established, said arrearage shall be paid directly to Plaintiff.

In order to reduce and repay said arrearage, Defendant shall pay to Plaintiff, in addition to the alimony ordered to be paid under the terms of the Sixth Supplemental Decision and Order, the sum of no less than $250 per month, commencing on May 5, 1975 and continuing until the accrued sum of $1,000 has been paid in full.

DATED: Honolulu, Hawaii, APR 28 1975.

SEAL

/s/ Betty M. Vitousek
Betty M. Vitousek
JUDGE OF THE ABOVE ENTITLED COURT

cc: Mrs. Janice Ching Yee
Edward Y.C. Chun, Esq.

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1975 JUN 26 AM 9 38
/s/ R.S. YAMADA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

FAMILY COURT

STATE OF HAWAII

JANICE YEE,	)	FC-D No. 81258
	)	
Plaintiff,	)	NINTH SUPPLEMENTAL
	)	DECISION AND ORDER
vs.	)	
	)	
ALFRED A. YEE,	)	
	)	
Defendant.	)	
	)	

NINTH SUPPLEMENTAL DECISION AND ORDER

This Court on April 4, 1975 entered its Sixth Supplemental Decision and Order. Paragraph I(A) (4) (a) thereof provides for the establishment of a trust, in accordance with specific provisions subject to further approval of the Court, for the benefit of Plaintiff, which trust is to be effective as of July 1, 1975. Paragraph I(A) (4) (b) provides that upon the creation of the trust, Plaintiff shall assign the ownership of John Hancock policies numbered 6577636, 7078250 and 7552499, or such of the named policies as are then in effect, to the trust. Under paragraph II(B) (4) of said Sixth Supplemental Decision and Order, Defendant is obligated for payment of premiums on said policies in the face value of at least $250,000 through June 30, 1975.

In the course of hearings in this cause, Defendant has advised that because of financial setbacks, he has been unable to maintain said policies in full force and effect, but is able now to cause Policy No. 6577636 in the face amount of $50,000 and Policy No. 7552499 in the face amount of $200,000 to be reinstated to the end that Defendant shall be in compliance with the Court's order that Defendant shall have fully paid premiums through June 30, 1975 on policies on his life in the face value of at least $250,000, net of the obligation for repayment of policy loans.

As was noted by the Sixth Supplemental Decision and Order, said policies are owned by Plaintiff. At the hearing of June 24, 1975, Plaintiff stated that she neither desired the protection afforded by the policies, nor would she execute an application or applications for reinstatement and for policy loans to be applied against premium payments (which policy loan applications are consistent with the program of premium payments adopted by the parties during their marriage).

It is the finding of this Court, notwithstanding Plaintiff's statements to the contrary, that her vital interests shall be adversely affected if insurance coverages, in the amount of at least $250,000, is not maintained.

THEREFORE, GOOD CAUSE APPEARING, IT IS ORDERED THAT

1. The provisions of the Sixth Supplemental Decision and Order requiring the payment by Defendant of premiums through June 30, 1975 on policies which shall pay to Plaintiff's trustee the net sum of $250,000 upon the death of Defendant, are hereby confirmed, and Defendant, to accomplish such end, shall cause to be done all things necessary to be done by him as the named insured life in order that said Policies Nos. 7552499 and 6577636 be reinstated.

2. That the Chief Clerk of the Circuit Court of the First Circuit of the State of Hawaii is hereby appointed as commissioner to act on behalf of Plaintiff as owner of said policies, with power and authority to apply for the reinstatement of said Policies Nos. 7552499 and 6577636 and to apply for such policy loans as may be available to fund premium payments therefor.

3. To the extent that premiums are payable and paid on an annual basis and are paid for a period beyond June 30, 1975, Defendant shall, upon an accounting filed with and approved by this Court, be entitled to a credit against the payments becoming due on the promissory note referred to by paragraph

I(A) (4) (iii) of said Sixth Supplemental Decision and Order.
Dated: Honolulu, Hawaii, JUN 26 1975.

SEAL

/s/ Betty M. Vitousek
Betty M. Vitousek
JUDGE OF THE ABOVE ENTITLED COURT

cc: Chief Clerk, First Circuit Court
Mrs. Janice Ching Yee
Edward Y. C. Chun, Esq.

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1975 DEC 3 PM 1 07
/s/ H. SETO
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,	)	FC-D No. 81258
Plaintiff,	)	TENTH SUPPLEMENTAL DECISION AND ORDER
vs.	)	
ALFRED A. YEE,	)	
Defendant.	)	

TENTH SUPPLEMENTAL DECISION AND ORDER

By its Ninth Supplemental Decision and Order filed on June 26, 1975, this Court ordered that Defendant do all things necessary to be done by him as the named insured life in order that John Hancock Policy No. 7552499 in the face amount of $200,000 and John Hancock Policy No. 6577636 in the face amount of $50,000 (each of which policies is owned by Plaintiff and on each of which Plaintiff is the named beneficiary) be reinstated and that the Chief Clerk of this Court, as Commissioner on behalf of Plaintiff, apply for such reinstatement and for such policy loans as may be available to fund premium payments therefor.

This Court has been advised that said policies have been reinstated and that premium payments, net of dividends, policy loans and interest on outstanding loans, have been paid to the anniversary date of each policy.

This Court has been further advised that there was due on September 23, 1975, the anniversary date of Policy No. 7552499, a net premium payment of $2,436.77 and that there was due on November 5, 1975, the anniversary date of Policy No. 6577636, a net premium payment of $134.63.

Although the trust for the benefit of Plaintiff as contemplated by the Sixth Supplemental Decision and Order has not yet been

approved, this Court is satisfied that the maintenance of said policies by the payment of premiums due thereon before the lapse of their respective grace periods is vital for the financial security of the Plaintiff.

Under the provisions of paragraph I(A) (4) (a) (iii) of the Sixth Supplemental Decision and Order, this Court ordered that Defendant convey to the Trustee of the trust to be created under provisions of paragraph I(A) (4) (a) either "additional property now belonging solely to Defendant which is valued at no less than $80,000 . . . or, in lieu thereof, . . . a promissory note for $80,000, bearing interest at the rate of 5% per annum, interest only payable monthly to said Trustee." The effective date, both of the trust and of promissory note, if Defendant elects to deliver a note, is intended to be July 1, 1975, and notwithstanding the fact that this Court still has under advisement the terms of the proposed trust, no reasons appear to this Court to justify a revision of the effective date. Pending resolution of questions before this Court in respect to revisions of other portions of the Sixth Supplemental Order, including the propriety of an enlargement of the principal amount of the note in substitution of the conveyance of one-half of the reversionary interest of the trust dated July 8, 1970, it appears that if Defendant elects to deliver a promissory note in lieu of other property in accordance with the terms of the Sixth Supplemental Order, there is due an accrual of interest in the amount of $1,333.36 from July 1, 1975 through October 31, 1975.

For purposes of assuring the maintenance of said policies,

IT IS ORDERED THAT:

1. Defendant forthwith pay the net premium due on the aforesaid policies in the aggregate amount of $2,571.40.

2. The provisions of paragraph 3 of the Ninth Supplemental Decision and Order authorizing a credit to Defendant against payments becoming due on the promissory note referred to by paragraph I(A) (4) (a) (iii) of the Sixth Supplement Decision and Order in respect of net premium payments falling due after June 30, 1975, are specifically extended to include the payments made by Defendant pursuant to this Order.

DATED: Honolulu, Hawaii DEC 3 1975.

SEAL

/s/ Betty M. Vitousek
Betty M. Vitousek
JUDGE OF THE ABOVE ENTITLED COURT

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1976 FEB 2 AM 11 44

/s/ R.S. YAMADA
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE YEE,	FC-D NO. 81258
Plaintiff,	ELEVENTH SUPPLEMENTAL DECISION AND ORDER
vs.	
ALFRED A. YEE,	
Defendant.	

ELEVENTH SUPPLEMENTAL DECISION AND ORDER

By motion filed April 29, 1975, Defendant moved to amend the Sixth Supplemental Decision and Order by deleting the requirement for conveyance to Plaintiff's trustee of one-half of the reversionary interest in the trust dated July 8, 1970, and also moved by this Court to approve the form of trust and appointment of trustee, and to confirm the nomination of a successor trustee in respect of the trusts dated July 8, 1970, September 10, 1968 and January 12, 1967.

Following hearing on the motion, This Court has reviewed the proposed form of trust with officers of Bishop Trust Com-

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

/s/ R.S. Yamada
Clerk, Circuit Court, First Circuit
State of Hawaii

APPENDIX "F(15)"

pany, Limited, the proposed trustee, and with the Hawaii agent for John Hancock Mutual Life Insurance Company. The Court has also reviewed all other Decisions and Orders previously entered by it for the purpose and to the end that the best interest of both Plaintiff and Defendant and their children shall be accommodated.

Upon review of the entire record and good cause appearing, IT IS ORDERED THAT

I. *AMENDMENT OF SIXTH SUPPLEMENTAL DECISION AND ORDER.* The Sixth Supplemental Decision and Order is hereby amended as follows:

A. Paragraph I(A)(2) presently requires the payment by Defendant to Plaintiff of the sum of $105,000 in installments of $350.00 per month, without interest, but does not presently provide for an evidence of indebtedness. The Court is of the opinion that interests of the parties are served by deleting the present provisions of subparagraph (b) thereof, and substituting, in lieu thereof, a new subparagraph (b), as follows:

"(b) The debt herein shall be evidenced by a promissory note, in a form to be approved by this Court, payable to the trustee under trust to be created under the terms of paragraph I(A)(4)(a) hereof. Notwithstanding the designation of the trustee as payee thereunder, during Plaintiff's lifetime and for so long as she is able to act on her own behalf, payments thereunder shall be made by Defendant directly to Plaintiff, and during Plaintiff's lifetime, the trustee, although holding said note, shall have no responsibility to enforce payments thereunder, either in respect to principal or on account of interest due, if any, on installments of principal in arrears, except pursuant to the specific request of Plaintiff. In the event Plaintiff shall predecease Defendant, or Plaintiff is unable to act on her own behalf, payments thereunder shall be made to the trustee, to be held, administered and disposed of in accordance with the terms of said trust".

B. Paragraph I(A)(4)(a)(ii) requiring a conveyance to the trustee of one-half of the reversionary interest in the trust dated July 8, 1970 is hereby deleted upon the condition, however, that Defendant within ten days following the filing hereof shall file with this Court a certified true copy of a conveyance of the whole of said reversionary interest to the children of the parties either in equal shares in fee simple, or to a trustee for their benefit, with authorization in the trustee during the continuance of the trust to expend the income and principal thereof equally or unequally as may appear to the trustee to be required for their benefit. If a trust is established, the same shall terminate not later than upon the attaining of the age of twenty-five of the youngest of the children of the parties, and upon termination, the undistributed income and remaining principal shall be required to be vested in fee simple in the issue of the parties, per stirpes.

C. Paragraph I(A)(4)(a)(iii) is hereby amended to provide as follows:

Additional property now belonging solely to Defendant which is valued at no less than $110,000, said property and its valuation to be approved by the Court, or in lieu thereof, Defendant shall execute a promissory note for $110,000 payable to the trustee named in accordance with this paragraph, bearing interest from July 1, 1975 through January 31, 1981 at the rate of five per cent (5%) per annum, and, from February 1, 1981 until the principal shall be fully paid, at a rate of interest equal to one percentage point above the prime rate of interest from time to time established by Bank of Hawaii at Honolulu, Hawaii, not exceeding however, ten per cent (10%) per annum. Said promissory note or any portion thereof may be paid at any time by Defendant, but until February 1, 1981, interest only shall be required to be paid monthly in arrears. With respect to payment of the principal of said promissory note, the same shall be paid on the date that Defendant or his estate shall be entitled to receive Defendant's vested interest in the Alfred A. Yee & Associates, Inc. Profit Sharing Trust; provided that to the extent that any portion thereof remains unpaid on January 31, 1981, the principal then remaining shall be paid in one hundred (100) equal monthly installments commencing February 1, 1981, together with interest on principal from time to time remaining unpaid. Said promissory note shall be secured by the same security and in the same manner as provided in respect to the promissory note referred to in paragraph I(A)(2), above.

D. The second full paragraph of Paragraph I(A)(4)(b) is hereby amended to provide as follows:

"The trust instrument shall provide that the trustee, except to the extent that it shall exercise its discretion to reduce the net proceeds value of the policies or either of them or to allow said policies or either of them to lapse, shall, from and after the inception of the trust, maintain said policies and pay the premiums thereon and interest on policy loans or other charges thereupon from the interest, principal and other income re-

ceived by said trustee pursuant to paragraph I(A)(4)(a)(iii) herein or from such other income, or, if necessary, principal, as said trustee may from time to time receive. Said trustee shall be authorized to pay interest due on all prior borrowings against any policy loan values, to borrow further against loan values for the purpose of funding future premium payments, to apply all or any portion of dividends available first to purchase one year term insurance equal to the policy cash value and the balance to be applied to reduce the annual premium, to allow any of said policies to lapse, and to purchase additional or other policies as in the trustee's discretion shall best serve the interest of the Plaintiff. Although it is not the intention of this Court to restrict the full exercise of the trustee's discretion, it is nevertheless the opinion of this Court in the light of circumstances existing as of the date of entry of this Eleventh Supplemental Decision and Order, that Plaintiff's best interest shall be served by the maintenance of the existing policies or of substitute policies which have a net proceeds value of not less than $200,000 through 1980, not less than $150,000 through 1985, and not less than $100,000 through 1990."

E. Paragraph II(B) is hereby amended by inserting an additional paragraph number (5) to provide as follows:

"(5) As used herein 'gross income' of the Defendant shall mean Defendant's wages, salary, stipends, director's fees, and like earnings, or on account of Defendant's personal services, and dividends attributable to Defendant's ownership in Alfred A. Yee & Associates, Inc., and dividends in other corporations, but in respect to investment income, other than dividends, the same shall include only the amount of adjusted gross income attributable thereto as the term 'adjusted gross income' is defined by the Internal Revenue Code, excepting and excluding, however, all items of capital gains or losses, and excluding also any capital gains or losses on account of any other property, real or personal of Defendant."

F. Paragraph III(A) is hereby amended to read as follows:

"(A) *Support, Maintenance and Education of Children:*

Defendant shall be solely responsible for and shall pay all expenses for the reasonable support, maintenance and education of each of the children of the parties excepting expenses for food and lodging when the minor children of the parties shall reside with Plaintiff until each of them shall have attained the age of majority and shall have completed his or her formal education, including college and post graduate education. Nothing herein shall be deemed to preclude Defendant from utilizing any of the income or other assets of any child to provide for his or her support, maintenance or education."

G. The second full paragraph of Paragraph IV is hereby amended to read as follows:

"To the extent that demand is made by John Hancock Mutual Life Insurance Co. for repayment of loans on policies on Defendant's life under Policy Nos. 7552499 and 6577636, and to the extent that such demand is on account of borrowings prior to the date hereof and in an amount in excess of the cash surrender value as of the date hereof, Defendant shall repay such loan balances.

II. *APPROVAL OF FORM OF TRUST AGREEMENT; CONFIRMATION OF BISHOP TRUST COMPANY, LIMITED AS TRUSTEE; APPOINTMENT OF CHIEF CLERK OF COURT TO EXECUTE TRUST ON BEHALF OF PLAINTIFF AND TO TRANSFER INCIDENTS OF OWNERSHIP AND TO AUTHORIZE CHANGE OF BENEFICIARY OF INSURANCE POLICIES.*

The form of Trust Agreement for the benefit of Plaintiff attached hereto as Exhibit A is hereby approved and the Court hereby confirms the nomination of BISHOP TRUST COMPANY, LIMITED as trustee thereunder.

In the event that Plaintiff shall fail to execute said Trust Agreement within ten days of the date of entry hereof, the Chief Clerk of the Circuit Court of the First Circuit of the State of Hawaii shall be and he is hereby appointed as Commissioner to execute said Trust Agreement on behalf of Plaintiff.

In the event that Plaintiff, within ten days of the date of entry hereof shall fail to transfer to the trustee the incidents of ownership of John Hancock Policy Nos. 7552499 and 6577636 or designate the trustee as beneficiary thereunder, the Chief Clerk of the Circuit Court of the First Circuit of the State of Hawaii shall be and he is hereby appointed as Commissioner with power and authority to so transfer said incidents of ownership and to designate the trustee as beneficiary thereunder.

III. *EXTENSION OF TIME TO EFFECT TRANSFERS; APPOINTMENT OF CHIEF CLERK OF COURT TO CONVEY INTERESTS.* Under provisions of Paragraph I(A)(3) of the Sixth Supplemental Decision and Order, Defendant was to have conveyed to Plaintiff within 40 days of entry of said Order by a good and sufficient quitclaim deed all of his right, title and interest in and to LOT 5514 at Keaau, Puna, Hawaii and in and

to one cemetery plot at Oahu Cemetery.

Under provisions of Paragraph I(B) of said Order, Plaintiff was to have conveyed to Defendant by a good and sufficient quitclaim deed all of her right, title and interest in and to four cemetery plots at Oahu Cemetery.

The Court hereby grants an extension of time of twenty days from the date of entry hereof for each of the parties to effect such conveyance. If either party shall fail to do so within the time as extended, the Chief Clerk of the First Circuit of the State of Hawaii shall be and he is hereby appointed as a Commissioner to execute quitclaim deeds in accordance with the provisions of said Paragraphs I(A)(3) and I(B).

IV. *APPROVAL OF ACCOUNTING FOR CREDIT AGAINST INTEREST PAYMENTS DUE UNDER PROMISSORY NOTE.* Under the provisions of the Ninth Supplemental Decision and Order, this Court ordered that Defendant, upon an accounting filed with and approved by this Court on account of payments for insurance premiums accruing for periods after June 30, 1975, should be entitled to a credit against interest payments becoming due on the promissory note referred to by paragraph I(A)(4)(iii) of the Sixth Supplemental Decision and Order. By this Court's Tenth Supplemental Decision and Order, the provisions respecting a credit against said promissory note were extended to include payments in the aggregate amount of $2,571.40 made by Defendant for premiums due on John Hancock Policy No. 7552499 on September 23, 1975, and No. 6577636 on November 5, 1975.

This Court is satisfied that Defendant is entitled to a credit of $3,425.99, as follows:

ON POLICY NO. 7552499	
For period between July 1, 1975 through September 22, 1975	$ 534.37
For period between September 22, 1975 through September 23, 1976	2,436.77
ON POLICY NO. 6577636	
For period between July 1, 1975 through November 4, 1975	320.22
For period between November 5, 1975 through November 4, 1976	134.63
TOTAL CREDIT	$3,425.99

As amended by this Eleventh Supplemental Decision and Order, the principal amount of the promissory note referred to in Paragraph I(A)(4)(iii) should be in the amount of $110,000, bearing interest at 5% per annum as of July 1, 1975. Said interest calculated on a monthly basis is in the amount of $458.33. Accordingly, this Court confirms a credit for all interest accruing from July 1, 1975 through February 28, 1976 and a credit on account of the monthly payment of $458.33 becoming due on March 1, 1976 in the amount of $217.68.

V. *CONFIRMATION OF FIRST HAWAIIAN BANK AS SUCCESSOR TRUSTEE; APPOINTMENT OF CHIEF CLERK OF THE CIRCUIT COURT.* Defendant has nominated, and this Court hereby confirms, the appointment of FIRST HAWAIIAN BANK, as Successor Trustee of the trusts for the benefit of the minor children of the parties dated July 8, 1970, September 10, 1968 and January 12, 1967. The Successor Trustee is authorized to accept as proper accounts of the trusts dated September 10, 1968 and January 12, 1967 the accounting of Harris, Kerr, Forster & Company, accountants for the trusts, without liability for the failure, if any, on the part of Plaintiff to discharge her duties as trustee during her tenure as such. In the event Plaintiff fails within twenty days of the entry of this Order to make a good and valid delivery of the trust assets to the Successor Trustee, the Chief Clerk of the Circuit Court of the First Circuit shall be and he is hereby appointed Commissioner with power and authority to cause to be assigned the ownership of all of the trust assets to said Successor Trustee.

VI. *CONFIRMATION OF PRIOR DECISIONS AND ORDERS.* This Court confirms the Decisions and Orders heretofore entered except to the extent previously or by this Decision and Order expressly modified. Without limiting the generality of the foregoing, this Court specifically confirms the provisions of paragraph 4 of the Eighth Supplemental Decision and Order entered on April 28, 1975, to wit:

> "That each party shall have thirty days from the date of approval by this Court of the trust instrument to be submitted by Defendant pursuant to paragraph I(A)(4)(a) of the Sixth Supplemental Decision and Order filed herein on April 4, 1975 to perfect a notice of appeal to the Supreme Court of Hawaii".

Paragraph II of this Eleventh Supplemental Decision and Order expresses the approval of this Court to said trust.

Unless specifically expressly modified by a further Order of

this Court, or unless specifically stayed by an Order of the Supreme Court, the parties shall comply with all provisions of this Supplemental Decision and Order and the previously entered Decisions and Orders, notwithstanding a failure of performance by the other party of acts required of such other party.

DATED: Honolulu, Hawaii, February 2, 1976.

/s/ Betty M. Vitousek
Betty M. Vitousek
JUDGE OF THE ABOVE
ENTITLED COURT

SEAL

cc: Mrs. Janice Ching Yee
Edward Y.C. Chun, Esq.

APPENDIX "F(15)"

TRUST AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 1976, by and between ALFRED A. YEE, of Honolulu, Hawaii, and JANICE CHING YEE, of Honolulu, Hawaii, sometimes hereafter collectively referred to as the "Settlors", and BISHOP TRUST COMPANY, LIMITED, a Hawaii corporation, hereafter called the "Trustee".

1. *PRELIMINARY STATEMENT.* Under provisions of the Sixth Supplemental Decision and Order in proceedings of the Family Court of the First Circuit of the State of Hawaii designated FC-D No. 81258, as amended by the Eleventh Supplemental Decision and Order, the Settlors are obligated to fund a trust for the primary benefit of JANICE CHING YEE. Pursuant thereto, Settlors hereby transfer and deliver to the Trustee the properties described in paragraph 2 hereof and Trustee hereby accepts said properties, in trust, and agrees to hold, administer, and distribute the same for the uses and purposes and upon the terms and conditions contained herein.

2. *TRUST PROPERTIES.*

(a) ALFRED A. YEE hereby delivers to Trustee the following:

(i) Settlor's promissory note, in the form set out by Exhibit A appended hereto and made a part hereof, in the principal sum of $105,000.00, payable without interest, in installments of $350.00 per month commencing as of July 1, 1975, subject, however, to acceleration in accordance with the provisions of paragraph 8, infra. Notwithstanding the designation of the Trustee as payee under the note, all payments due thereunder shall be made directly to JANICE CHING YEE until the Trustee shall have actual notice that she, for any reason, shall be unable to act in her own behalf. Until it shall have actual notice that JANICE CHING YEE is unable to act on her own behalf, and unless it has actual notice to the contrary, the Trustee shall be entitled to act in reliance of the assumption that all installments due thereunder have been duly and timely paid in accordance with the tenor thereof. The Trustee shall have no duty in respect to said note until receipt of actual knowledge that JANICE CHING YEE is unable to act on her own behalf, but shall, if requested to by JANICE CHING YEE, enforce the payment thereof in accordance with its terms.

(ii) Settlor's promissory note, in the form set out by Exhibit B appended hereto and made a part hereof, in the principal sum of $110,000 payable at interest in accordance with the tenor thereof.

(iii) An assignment of the sum of $10,000, being one-half of the right, title and interest of ALFRED A. YEE as an obligee under the $50,000 unsecured promissory note dated May 14, 1973 executed by Hawaii Furniture Lease on account of its purchase of Noble's Furniture, together with interest at the rate of 9% attributable to the principal portion of the note hereby assigned. (Note: Said note was due on October 30, 1974 but no portion of the principal or interest has been paid to date).

(b) JANICE CHING YEE hereby transfers and assigns to the Trustee all of her right, title and interest and all incidents of ownership, and, by separate instrument, has caused the Trustee to be named as owner and beneficiary, in and to each of the following policies of life insurance on the life of ALFRED A. YEE.

(i) John Hancock Mutual Life Insurance Company Policy No. 7552499 in the face amount of $200,000, subject to a policy loan in the amount of $53,411.39.

(ii) John Hancock Mutual Life Insurance Company Policy No. 6577636 in the face amount of $50,000, subject to a policy loan in the amount of $15,390.60.

3. *SECURITY FOR PAYMENT OF PROMISSORY NOTES.* For the purpose of securing the payment of each of the promissory notes executed and delivered by him in accordance with the tenor thereof, ALFRED A. YEE has concurrently, by separate instrument, caused to be assigned to the Trustees one-half of his presently vested rights in the Alfred A. Yee & Associates, Inc. Profit Sharing Trust. Also concurrently herewith, ALFRED A. YEE has given written notice to the Trustees of said Profit Sharing Trust of such assignment and has secured the written acceptance of said Trustees to such assignment and said Trustees' agreement that such assignment shall not be revoked except upon further order of a Judge of the Family Court of the State of Hawaii.

In order to further secure the payment of the aforementioned promissory notes, ALFRED A. YEE shall not suffer or cause any liens or attachments or encumbrances to be placed against one-half of his presently vested rights in the Alfred A. Yee & Associates, Inc. Profit Sharing Trust; or borrow from or against the security of the same except as permitted under the terms of the immediately succeeding paragraph of this paragraph 3; and, except as aforesaid, shall not take any other action with respect to said Profit Sharing Trust which will in any way impair the security created in furtherance of this provision until all moneys due under said promissory notes have been paid in full.

In the event resort must be had to the rights or interest of ALFRED A. YEE in the Alfred A. Yee & Associates, Inc. Profit Sharing Trust for payment of any amounts due under the aforementioned promissory notes, ALFRED A. YEE shall take all action necessary to effectuate immediate payment, including borrowing from or against his right or interest in said Profit Sharing Trust.

4. *RIGHTS OF TRUSTEE IN POLICIES OF INSURANCE.* The Trustee is hereby vested with all right, title and interest in and to the aforedescribed policies, and is authorized and empowered to exercise and enjoy, for the purposes of the trust herein created, all the options, benefits, rights and privileges under such policies. The insurance company which has issued such policies is hereby authorized and directed to recognize the Trustee as absolute owner of such policies and fully entitled to all options, rights, privileges and interests under said policies, and any receipts, releases, and other instruments, executed by the Trustee in connection with said policies shall be binding and conclusive upon the insurance company and all persons interested in this trust.

5. *PAYMENT OF PREMIUMS.* Unless the Trustee in the Trustee's discretion determines that the best interest of JANICE CHING YEE shall otherwise require, the Trustee shall utilize so much of the net income of this trust,specifically including the installment payments due on promissory notes executed and delivered by ALFRED A. YEE (whether any such payment shall be deemed to be income or principal) as is necessary to maintain in full force and effect said policies of life insurance. The Trustee is authorized to pay interest due on all prior borrowings against any policy loan values, to further borrow against loan values for the purpose of funding premium payments, to apply all or any portion of dividends available to first purchase one year term insurance equal to the policy cash value, and the balance to be applied to reduce the annual premium, to allow any of said policies to lapse, and to purchase additional or other policies, as in the Trustee's discretion shall serve the best interests of JANICE CHING YEE.

If at any time the net income or other funds received by the Trustee, which the Trustee is hereby empowered to receive as additions to this trust, shall be insufficient to pay the premiums on the policies of insurance held hereunder, the Trustee shall promptly notify JANICE CHING YEE in writing the amount necessary to pay such premiums, and, if JANICE CHING YEE

shall fail to advance sufficient funds to pay such premiums, the Trustee may sell at public or private sale a sufficient portion of the trust corpus to obtain the necessary funds, or to borrow on the collateral of the trust estate or any part thereof. If at any time the net income derived by the Trustee together with any sums furnished by JANICE CHING YEE is insufficient to pay the premiums on the policies of insurance held hereunder, the Trustee shall be under no obligation to pay such premiums and shall not be liable to any extent whatsoever in case any such premiums are not paid. In the event or at any time the net income and principal of the trust is not sufficient to fund all premium payments, and JANICE CHING YEE shall fail to advance sufficient funds for such purpose, the Trustee is authorized to surrender any policies of insurance for their cash surrender value or to convert policies upon which it is unable, by reason of insufficient funds, to pay the premiums, into paid-up policies of whatever amounts as may be permitted by the terms of such policies.

6. *COLLECTION OF PROCEEDS OF POLICIES.* Upon the death of ALFRED A. YEE, the Trustee shall take all necessary steps to collect the proceeds of such insurance policies. To facilitate the prompt collection of such policies, the Trustee shall furnish the necessary proof of death to the insurance company and is authorized and empowered to do any and all things which in its discretion are necessary to collect such proceeds, including, but not limited to, the following powers:

(a) To execute and deliver releases, receipts and all other necessary papers.

(b) To compromise or adjust any disputed claim in such manner as in its sole discretion seems just.

(c) To bring suit upon any policy, the payment of which is contested by the insurer and to pay the expenses of any such suit, including attorney's fees, from the principal of the trust estate, or from any other insurance proceeds in its hands, or from net income which is in its hands; provided, always, that the Trustee shall be under no obligation or duty to bring suit unless it is advisable in the opinion of its counsel, and unless it shall have either adequate funds with which to pay the expenses of such suit, or indemnification to its satisfaction against any loss, liability or expenses which may be incurred in bringing such suit. Upon the collection of proceeds of any insurance policies held hereunder, the Trustee shall add such proceeds to the trust estate and shall hold the same in trust, manage, invest and reinvest the same, collect the income therefrom and dispose of the principal and any income therefrom in a manner provided in paragraph 7.

7. *DISPOSITIVE PROVISIONS.* In addition to its duty to hold said insurance policies, to pay premiums therefor, and to collect the policy proceeds upon the death of insured, the Trustee shall collect all payments due on the abovedescribed promissory notes, and the abovedescribed Noble's Furniture receivable.

The Trustee is authorized to do all things which in its discretion are necessary to collect said proceeds, and in furtherance thereof, shall have the following powers:

(a) To execute and deliver releases, receipts, and all other necessary papers.

(b) To compromise or adjust any disputed claim in such manner as in its sole discretion seems just; provided, however, that the Trustee shall not have authority to exercise any power to compromise or adjust any obligation of ALFRED A. YEE on account of the promissory notes executed by him except upon further order of a Court of competent jurisdiction.

(c) To bring suit for collection of the same and to pay the expenses of any such suit, including attorney's fees, from the income or principal of the trust estate; provided always that the Trustee shall be under no obligation or duty to bring suit unless it is advisable in the opinion of its counsel, and unless it shall have either adequate funds with which to pay the expenses of such suit or indemnification to its satisfaction against any loss, liability, or expenses which may be incurred in bringing such suit; and provided further, that the Trustee shall have no duty to collect or enforce the collection of the Noble's Furniture receivable other than to collect the same from ALFRED A. YEE when Trustee shall have actual knowledge that the same has been collected by him.

Upon the receipt of the proceeds of said promissory notes and said Noble's Furniture receivable, and upon receipt of the proceeds of said insurance policies, the Trustee shall hold, manage, invest and reinvest the same, and any other properties which shall constitute a part of the trust estate, and after payment of all proper charges and expenses, and premiums for the policies of insurance aforesaid (including a reasonable reserve for charges and expenses to be incurred), apply the remaining income and principal as follows:

(i) During the life of JANICE CHING YEE, the Trustee

shall pay to or for her benefit not less frequently than quarter annually all of the net income of the trust estate then collected and undistributed. In addition, the Trustee is authorized to expend as much of the principal as it in its discretion shall deem necessary or advisable for her maintenance, support, welfare and medical care, having regard for all other income and capital available to her from all sources known to the Trustee. In the event that there exists a dispute between the Trustee and JANICE CHING YEE as to the necessity or advisability to expend any portion of the principal, the question may be referred by either party to any court of competent jurisdiction, whose decision shall be final and binding upon the parties.

(ii) Upon the death of JANICE CHING YEE, this trust shall terminate and the undistributed income and remaining principal thereof shall be paid and distributed as directed by the terms of her Last Will and Testament, making specific reference to the within testamentary power of appointment. In default of the exercise of such power of appointment, the Trustee shall pay and distribute said undistributed income and remaining corpus to the issue of the Settlors, per stirpes.

8. *PROVISIONS FOR ACCELERATION OF PAYMENT OF PROMISSORY NOTE IN PRINCIPAL AMOUNT OF $105,000.00.*

The Trustee is advised that under the terms of the aforesaid Sixth Supplemental Order, the promissory note of $105,000, otherwise payable in monthly installments of $350.00, is subject to the following provision for acceleration:

> "If at any time [JANICE CHING YEE] shall require supplemental income to cover uninsured hospitalization, medical and psychiatric costs and expenses reasonably required to provide for her health and well being, [JANICE CHING YEE] or some proper person on her behalf, may apply to this Court for entry of its order increasing the amount of monthly installments."

The Trustee, upon receipt of knowledge of the need to apply for such Order, may in its discretion apply for entry of such Order, but need not, if the promissor under said note agrees to the need for acceleration.

9. *PAYMENT TO MINORS.* If under any provisions hereof any trust share becomes distributable to a person who has not attained the age of 21 years, then such share shall immediately vest in such person, but the Trustee shall retain possession of such share during the period in which such person is under the age of 21 years, and in the meantime shall use and expend so much of the income and principal of each such share as the Trustee deems necessary or desirable for the medical care, support, education, and welfare of such person, and any income not so expended in any calendar year shall be added to principal at the end of such year. If such person shall die prior to the attaining of the age of 21, then upon his or her death, such share, together with the undistributed income thereof shall be paid over to his or her estate or the appointee or appointees named in his or her valid Last Will.

10. *INALIENABILITY.* No interest of any beneficiary in the principal or income of the trust created hereunder shall be subject to assignment, alienation, pledge, attachment, or claims of creditors of such beneficiary and may not otherwise be voluntarily or involuntarily alienated or encumbered by such beneficiary, except as may be otherwise expressly provided herein.

11. *DISTRIBUTION BEFORE NOTICE OF DEATH.* Until the Trustee shall have received a certified copy of official record of any birth, marriage, death, divorce or adoption or any other event upon which any interest hereunder may depend, the Trustee shall not be liable for any distribution or other action which would have been proper except for such event, unless made in bad faith.

12. *TAX ELECTIONS AND ADJUSTMENTS THEREFOR.* The Trustee hereunder may, in its sole discretion, exercise such elections as are provided in any law for tax purposes (whether death taxes, income, property or other taxes) in such manner as it deems advisable.

13. *POSTPONEMENT OF DISTRIBUTION.* Upon termination of this trust, the Trustee may, in its discretion reserve portions of the trust estate and delay completion of distribution until all its liabilities for taxes and other obligations have been finally settled and satisfied.

14. *TRUSTEE'S POWERS.* The Trustee shall have full power and authority to hold, manage and control the trust estate and to sell, encumber or otherwise dispose of and deal with any of the trust property; to lease for any purpose and any term within or extending beyond the duration of the trust; to improve trust property without limitation, and to borrow upon the security of any trust property for any trust purpose; to invest and reinvest principal, and income, if accumulated, in such bonds, common or preferred stocks or other securities or property, real or personal, as it deems advisable, including participations in common trust funds, from time to time, in its sole discretion and

without reference to prior determinations, to determine what is principal and what is income of the trust estate and to apportion and allocate receipts and disbursements between these accounts, with full discretion to allocate any receipt to principal for the purpose of providing funds for the payment of any charge against principal; to retain indefinitely, within its sole discretion, any of the property received as part of the trust estate, to operate at a risk of the trust estate any property or business received as part of the trust estate, as long as it may deem advisable, the profits and losses therefrom to inure or be chargeable to the trust estate as a whole; to hold any securities or property in bearer form or in the name of the Trustee or of any person, firm or corporation without indication of any trust; when required to divide or distribute all or any part of the trust estate, to do so in kind or in money, or partly in kind and partly in money, in its sole discretion, its decision as to values and method of division or distribution to be binding on all persons; to give revocable or irrevocable general or specific proxies or authorizations for voting or acting with respect to securities, whether with or without power of substitution and whether discretionary or not, including such authority to any protective or reorganization committee as it shall deem advisable; and generally to exercise the same control over and rights respecting the trust estate as JANICE CHING YEE could exercise personally. No one dealing with the Trustee shall be bound to inquire into the propriety of the Trustee's action or to see to the application of any money paid to the Trustee.

The Trustee shall determine the amount of depreciation and depletion chargeable against the tangible assets of the trust estate during each year, in accordance with accounting principles, methods and formulas determined by the Trustee to be generally acceptable, and shall charge against income and credit to principal the sum so determined; provided that the amount of depreciation and depletion charged with respect to any asset of the trust estate during any year shall not exceed the net income derived from such asset during said year, as determined by the Trustee. All such determinations made in good faith by the Trustee shall be final and binding upon all persons interested in the trust estate.

15. *TENURE OF TRUSTEE.* The Trustee expressly acknowledges its understanding that it has been appointed to serve as Trustee hereunder by the Judge of the Family Court of the State of Hawaii and agrees to so serve for the term of the trust or until a successor has been named and qualified by said Court.

16. *FIDUCIARY DUTY.* The Trustee shall not be liable for any act or failure to act, whether or not directed to do so or to refrain from doing so by any beneficiary hereunder, unless such action or failure of action shall be in bad faith or on account of Trustee's gross negligence.

17. *COMPENSATION OF TRUSTEE.* For its services hereunder, the Trustee shall be entitled to receive a reasonable compensation and reimbursement for expenses, payable out of income or principal. The amount and allocation therefor, and the amount and allocation for special services, including its costs and expenses in defending its actions unless there be a finding of breach of its fiduciary duty, shall be based on whatever schedules, rates or customs the Trustee has adopted or is using at such time in connection with trusts of like nature; provided, however, that if at any time, and from time to time, there shall exist any dispute as between the Trustee and the beneficiaries hereunder as to the reasonableness of such fees or claims for reimbursement of expenses, the same shall be subject to review by any Judge of the Family Court of the State of Hawaii.

18. *BOND AND ACCOUNTS.* The Trustee shall not be required to give any bond. The Trustee shall annually deliver or send by registered mail an account to JANICE CHING YEE, and, upon her death, to each adult beneficiary and to the parent or guardian of each minor beneficiary, if any.

19. *THIRD PARTY LIABILITY.* No corporation, transfer agent, or other person dealing with any Trustee shall be obliged to see to the application of any money or property delivered to such Trustee or to examine into the trust upon which any property administered under this instrument is held, but any such corporation, transfer agent or other person may deal with any such property and with any Trustee as if it were the owner thereof free of any trust.

20. *GOVERNING LAW.* The laws of the State of Hawaii shall govern all matters affecting this trust, the trust estate, and the management and disposition of the same.

IN WITNESS WHEREOF, the undersigned have executed this Agreement in original counterparts the day and year first above written.

_____

JANICE CHING YEE

_____

ALFRED A. YEE

BISHOP TRUST COMPANY,
LIMITED

By _____
Its

By _____
Its

PROMISSORY NOTE

$105,000.00 Honolulu, Hawaii
July 5, 1975

In accordance with the Sixth Supplemental Decision and Order entered on April 4, 1975, as amended by the Eleventh Supplemental Decision and Order entered on _____, 1976, in proceedings of the Family Court of the State of Hawaii designated FC-D No. 81258, the undersigned hereby promises to pay to BISHOP TRUST COMPANY, LIMITED, Trustee named under a Trust Agreement dated _____, 1976, or to its order, the principal sum of ONE HUNDRED FIVE THOUSAND AND NO/100 DOLLARS ($105,000.00), payable without interest in monthly installments of THREE HUNDRED FIFTY AND NO/100 DOLLARS ($350.00) each, commencing first on July 5, 1975 and continuing on or before the fifth day of each and every month thereafter until fully paid.

In the event of default of any installment, interest at the rate of twelve per cent (12%) per annum shall accrue on the installment in arrears.

This note is subject to acceleration in accordance with provisions of paragraph I(A)(2)(a) and paragraph I(A)(2)(c) of said Sixth Supplemental Decision and Order, providing as follows:

> "If at any time [JANICE CHING YEE] shall require supplemental income to cover insured hospitalization, medical and psychiatric costs and expenses reasonably required to provide for her health and well being, [she], or some proper person on her behalf, may apply to [the Family Court of the First Circuit of the State of Hawaii] for entry of its Order increasing the amount of monthly installments.
>
> "In the event [the maker] shall predecease [JANICE CHING YEE] [the maker's] estate shall be obligated for the payment of the remaining balance of said $105,000.00."

In the event of default in the payment of any installment at the time when due, and in case steps are taken whether by suit or otherwise to collect any installment in arrears, the undersigned further promises to pay all reasonable costs and expenses incurred, including a reasonable attorney's fee.

The privilege is reserved to the maker to prepay the whole or any part of the principal from time to time outstanding without penalty.

ALFRED A. YEE

EXHIBIT "A" **(EXHIBIT A)**

PROMISSORY NOTE

$110,000.00 Honolulu, Hawaii
July 1, 1975

In accordance with the Sixth Supplemental Decision and Order entered on April 4, 1975, as amended by the Eleventh Supplemental Decision and Order entered on _____, 1976, in proceedings of the Family Court of the State of Hawaii designated FC-D No. 81258, the undersigned hereby promises to pay to BISHOP TRUST COMPANY, LIMITED, Trustee named under a Trust Agreement dated _____, 1976, or its order, the principal sum of ONE HUNDRED TEN THOUSAND AND NO/100 DOLLARS ($110,000.00), together with interest at the rate of five per cent (5%) per annum computed on the unpaid principal balance remaining unpaid from time to time from and after July 1, 1975 until January 31, 1981, and thereafter at a rate of interest equal to one percentage point above the prime rate of interest from time to time established by Bank of Hawaii, not exceeding, however, ten per cent (10%) per annum.

Principal and interest shall be due and payable as follows:

PRINCIPAL. Principal shall be payable on the date that the undersigned or his designee shall be entitled to distributions of all of the undersigned's vested rights in the Alfred A. Yee & Associates, Inc. Profit Sharing Trust; provided that if only a portion of the undersigned's rights in said Profit Sharing Trust shall be payable, then such portion shall be fully applied to the payment of principal hereunder; provided, further, that if principal shall not be fully paid by January 31, 1981, then and in such event the then remaining principal shall be paid in one hundred (100) equal monthly installments commencing first on February 1, 1981. The whole or any part of the principal may be prepaid without penalty.

INTEREST. Interest shall be payable in monthly installments in arrears, commencing first on August 1, 1975 for and on account of interest accruing from the period July 1, 1975 to July 31, 1975, and continuing on the first day of each and every month thereafter until the principal shall be fully paid.

In the event of default in the payment of principal when due, or of any installment of interest when due, and in case steps are taken, whether by suit or otherwise, to collect any installment in arrears, the undersigned further promises to pay all reasonable costs and expenses incurred, including a reasonable attorney's fee, and interest at the rate of twelve per cent (12%) per annum on any installment, either on principal or interest, in arrears.

ALFRED A. YEE

EXHIBIT "A" **(EXHIBIT B)**

MRS. JANICE CHING YEE
3169 Alika Avenue, Hon., Hi.
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 APR 8 AM 11:46
/s/ E.K. BUSH
CLERK

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	)	
	)	
Plaintiff,	)	CIVIL NO. 44245
	)	SUPPLEMENTAL
vs.	)	MEMORANDUMS IN
	)	SUPPORT OF MOTIONS
EDWARD Y.C. CHUN,	)	
and/or	)	AFFIDAVIT OF
CHUN, KERR, & DODD,	)	PLAINTIFF
attorneys,	)	
Defendants.	)	
	)	

SUPPLEMENTAL MEMORANDUMS AND/OR
ARGUMENTS IN SUPPORT OF MOTIONS

Plaintiff's Complaints are hereby supported according to Hawaii's Rules of Civil Procedure:

Rule 8(a), to adhere more precisely for clarification of claims;
Rule 4(h), where an amended complaint is admissable
Rule 15(a)
Rule 15(b), where pleadings may be amended, even after kuling or Judgement;
AND Rule 59(a), where a new Trial may be granted.

Plaintiff's suit is brought against Edward Chun, et al. for *MALPRACTICE* and *MALICIOUS INTENT TO COLLUDE* and *COERCE* a woman to a lower level of living by using methods of *ILLEGAL:*

A) *FRAUD AND/OR MALPRACTICE:*

This was pointed out in the original Complaint; Amended

APPENDIX "G(a)"

Complaint and/or Responsive Complaint; and Motion for Reconsideration.

B) *VIOLATION OF MY CONSTITUTIONAL RIGHTS* for equal protection by Law and/or equal Justice AND/OR equal free enterprise, where just any FREE American woman may have equal opportunity to do business and earn equal compensation commensurate with equal executive ability or work done as equal women or as equals to men.

ACCEPTED FOR FILING
/s/ Norito Kawakami
Judge

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1975 APR 8 AM 11:46
/s/ E. K. BUSH
CLERK

APPENDIX "G(a)"

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	)	
	)	
Plaintiff	)	CIVIL NO. 44262
	)	
vs.	)	
	)	
JAMES E. KOSHIBA, and/or THE HAWAII BAR ASSOCIATION,	)	
	)	
Defendants.	)	
	)	

TRANSCRIPT OF PROCEEDINGS

Before the Honorable Norito Kawakami, Second Judge, Presiding, on Thursday, June 12, 1975.

APPEARANCES:

MRS. JANICE CHING YEE, Pro Se
3169 Alika Avenue
Honolulu, Hawaii

WILLIAM L. FLEMING, ESQ., Attorney for Defendants
Cades, Schutte Fleming
& Wright
165 South King Street
Honolulu, Hawaii

APPENDIX "G(b)"

THURSDAY, JUNE 12, 1975 12:02 O'CLOCK A.M.

THE CLERK: Civil No. 44262, Janice Ching Yee vs. James Koshiba and/or the Hawaii Bar Association.

THE COURT: Mrs. Yee is present and so is Mr. Fleming. All right, Mrs. Yee.

MRS YEE: Yes. Can the Court grant plaintiff's motions—both Motions to Strike Order Dismissing Amended Complaint according to Hawaii Rules of Court for Hawaii Rules of Civil Procedure: Rule 15(a) and (b) for amendment, Rule 8(a) and (b) for clarification of claims and complaints and for relief of claims; Rule 26 for discovery, Rule 60(b) (4) which voids the Judge's Decision for conflict of prejudice, or Rule EC 722 of the Hawaii Rules of Court where any litigant in good faith may challenge ruling of the court.

THE COURT: Mrs. Yee, are you talking about the conflict of the interest of the Court?

MRS. YEE: Conflict of interest of the judge or of the court.

THE COURT: That's right. I thought we cleared that up. Actually, the basis for that is your statement here that—

MRS. YEE: Oh, I can imagine Judge Kawakami is in conflict for prejudice against plaintiff and should disqualify himself if he doesn't think justice, for good, just women can come out of this court. It does not seem possible to get so many adverse decisions in view of plaintiff's pertinent complaints, memorandums of law, exhibits and arguments as can be substantiated by the transcript of April 17, 1975—

THE COURT: Court is—

MRS. YEE: —so plaintiff hereby refers to Rule EC7-22 of the Hawaii Rules of Court again, where any litigant in good faith may challenge the ruling of the court. Plaintiff's complaints have merit and don't warrant Judge Kawakami's negative judgment or Mr. Fleming's negative or insufficient defense, pleadings and demurrers. It would have been more proper to grant plaintiff's summary judgment or part of an equitable or fair settlement for plaintiff against the losses incurred by James Koshiba—incurred against James Koshiba—incurred by James Koshiba's malpractice as Chairman of the Hawaii Bar Association Ethics Commission are not ethics commission, or by the Hawaii Bar Association for violation of my constitutional rights for equal legal protection for the female sex as well as for the male sex for violation of my civil rights against prejudice against the female sex looking for justice.

THE COURT: Mrs. Yee, all the Court is talking about is your allegation on page 2, which reads: Rule 64(b) (4), where Judge Kawakami's Decision is void by conflict of interest as a member of the Bar. Judge Kawakami is not—

MRS. YEE: If you read the Motion to Amend the Motion to Strike Order Dismissing Amended Complaint, it also says Amend Motion to Strike Order Dismissing Amended Complaint, it also says Amend Motion to Strike Order Dismissing Amended Complaint and hereby move the Court to delete from the original motion reference to Rule 60(b) (1) against Judge Kawakami for a second reference to Rule 26 for discovery, finds Judge Kawakami is not a member of the Hawaii Bar Association.

THE COURT: Where is that?

MRS. YEE: So your judgments are all wrong and you should reconsider.

THE COURT: So long as it is in the record. Proceed.

MRS. YEE: For Rule EC2-27 says that a lawyer should not decline representation because a client or the cause is unpopular or community reaction is adverse. As pointed out before, ninety or more lawyers by now were asked for help against collusion to deprive a free American women of her right and ninety or so members of the Hawaii Bar Association declined to help my cause to set a precedent for all good, just women, who have helped their ex-husbands for more than twenty years in their success—if not in success, to be able to at least collect half of the existing income, as well as potential income or fair, complete settlement or complete amount commensurate with the earning power of their ex-husbands. Also, my cause is to set a precedent for just, capable women to collect fair settlement so we can live free and not shackled by restraint of trustee or guardian's false arrest decisions. Also so we can bring suit against colluders violating a woman's right against collusion or conspiracy to defame, deceive, delude or defraud.

Or Rule DR 2-109(a) (1), where a lawyer shall not assert a position in litigation for the purpose of harassing or maliciously injuring any person as plaintiff got from harassment and malicious injury not getting Hogan disbarred or not getting the custody of the children or getting protection for 122 weekends alone through Alfred's not understanding children should protect mother or learning filial piety, or not getting rid of negligent Nickelsen or disbar Hogan for not appealing against Nickelsen's embarrassing guardian ad litem's position, or not

scolding Hogan or disbarring Hogan for not getting the bills paid so the loss of credit won't be embarrassing, not scolding Hogan or disbarring Hogan for the loss of insurance and getting the insurance bills paid. How terrible? Hogan was wrong.

Or Rule DR 6-101(a) (1) (2) (3), where a lawyer is liable for competence or Rule DR 6-102, where a lawyer who malpractices is not exonerated for any liability or shall not exonerate himself.

Or Rule EC 7-4 in particular against Koshiba and Hawaii Bar Association, who are not justified in asserting positions in litigation that are frivolous. For there was a complaint against Vitousek which the Bar Association ignored for Vitousek's guardian ad litem was a malicious abuse of judicial process and in essence a false arrest against plaintiff for I am more capable or sane than Vitousek's guardian ad litem's position or decree.

Rule DR 7-102 against the Bar Association for knowingly perpetuating Betty Vitousek's fraud and malicious abuse of judicial process and Hogan's fraud and malicious negligence used in collusion to deprive a free American women of her right of real justice.

So I can say, therefore, that Hawaii Bar Association was in violation, particularly those rules mentioned above. So can the Court grant motion to Amend Complaint for Summary Judgment for plaintiff for two million dollars or for an equitable settlement as mentioned in Exhibit B against Koshiba and against the Hawaii Bar Association for malpractice, consisting of all the other claims, specifically, collusion, fraud, breach of contract, contributory false arrest, persecution, violation of my civil rights, conflict of interest, restraint of trade, gross negligence, obstruction of justice.

THE COURT: Are you finished now?

MRS. YEE: Yes, I am through, your Honor.

MR. FLEMING: As I said, this is simply a rehash of everything. No basis whatsoever for setting aside order. Judgment should be entered forthwith. I would submit the judgment for review by the Court, a copy of which was presented to Mrs. Yee on or about May 22, 1975, which she refused to approve as to form.

MRS. YEE: Mr. Fleming is wrong for 12(f). Violation is not sufficient defense and Mr. Fleming is wrong for I can bring suit against Koshiba and the Hawaii Bar Association for violation of my civil rights for equal protection by law or for equal justice.

THE COURT: The Court is ready to rule. Both motions are denied.

MRS. YEE: Is this what Judge Kawakami—excuse me, I object. Is this what Judge Kawakami meant—is this what Judge Kawakami said—he called for a conference in his chambers, and he said, "About your cases, I don't know how to tell you but what would you say if you're not going to get anything out of this?" I thought he was kidding. I thought he was kidding. I didn't know he deliberately meant he was going to be prejudiced against good women trying for justice. I said, "No, I think you're wrong because you've not read the Amended Complaint," because I thought he was kidding about the Complaint being an amateur's job. So there was prejudice.

THE COURT: Mrs. Yee, what the Court was trying to tell you was that—

MRS. YEE: It was already a prejudicial judgment before the first case was through.

MR. FLEMING: I don't know what she's talking about.

THE COURT: Let the Court try and explain to Mrs. Yee.

THE COURT: Court was trying to tell you, Mrs. Yee, that on the face of the pleadings that you had filed at that time, that was the Court's estimate; therefore, that you should get yourself counsel to represent you in this case so that if you did have a case, that the Court could grant—

MRS. YEE: Ah, I have more than a case.

THE COURT: Now, despite that and despite the fact that in almost every—that at every hearing except the hearing today, the Court has repeated that admonition to you to secure counsel. You have not secured counsel.

MRS. YEE: Not according to Hawaii Rules.

THE COURT: This Court is making its judgment on the basis of what is before it in the records. Now, the Court felt that it had a duty because of your situation to remind you and to bring to your attention in every instance possible, both on the record and off the record, the necessity for you to secure counsel.

MRS. YEE: No, not so. According to Hawaii Rules of Court (Revised statutes), plaintiff can plead as plaintiff pro self in any case in any court of the State. That's a fact, fact.

(The hearing terminated at 12:15 o'clock p.m., on Thursday, June 12, 1975.)

STATE OF HAWAII)
)
CITY AND COUNTY OF)
HONOLULU)

I, Toshie Shishido, Official Court Reporter, Circuit Court of the First Circuit, State of Hawaii, do hereby certify that I reported in shorthand the proceedings had in Civil No. 44262, Janice Ching Yee, Plaintiff, vs. JAMES E. Koshiba, and/or The Hawaii Bar Association, Defendants, on Thursday, June 12, 1975, before the Honorable Norito Kawakami, Second Judge, Presiding, and that the foregoing is a full, true and correct transcription of my shorthand notes so taken in said proceedings.

Dated this 17th day of June, 1975, at Honolulu, Hawaii.

/s/ Toshie Shishido

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE,	)	CIVIL NO. 45123
Plaintiff,	)	
vs.	)	
BETTY VITOUSEK, Judge, and/or THE FAMILY COURT OF THE FIRST CIRCUIT OF THE STATE OF HAWAII,	)	
Defendants.	)	

TRANSCRIPT OF PROCEEDINGS

Before the Honorable Harold Y. Shintaku, Seventh Judge, Presiding, on Wednesday, August 5, 1975.

APPEARANCES:

MRS. JANICE CHING YEE For Plaintiff
3169 Alika Avenue
Honolulu, Hawaii

CEDRIC CHOI, ESQ. For Defendants
Deputy Attorney General
State of Hawaii
415 South Beretania Street
Honolulu, Hawaii

APPENDIX "G(C)"

THE CLERK: Case No. 16, Civil No. 45123, Janice Ching Yee, Plaintiff, vs. Betty Vitousek, Judge, and/or the Family Court of the First Circuit of the State of Hawaii.

THE COURT: Will you identify yourself for the record?

MR. CHOI: Yes. My name is Cedric Choi, Deputy Attorney General, for the Defendants, your Honor.

THE COURT: Mrs. Yee here is on pro se.

MRS YEE: I am Plaintiff Janice Ching Yee against Betty Vitousek, Defendant, and/or the Family Court of the First Circuit, State of Hawaii.

MR. CHOI: Your Honor, as movants in this instance, I suppose I should go first.

THE COURT: Yes.

MR. CHOI: I really have nothing more to add to the Memorandum which is on file, just to state again that this is a Motion to Dismiss for Failure to State a Claim and/or in the Alternative Motion for More Definite Statement and a Motion to Strike.

The basis of these motions is that we were served on June 12, 1975, with a complaint which we feel does not give us adequate notice of the claims out of which this case arises, nor is it a short, plain statement of the plaintiff's case.

As I noted before, the Complaint can be either construed to be either a two-page complaint or a two-inch thick file of complaints. I don't think that either of them would stand up under Rule 12(b).

I think, basically, the Court should be liberal in this instance since the plaintiff is filing her case pro se. However, upon a record such as this before the Court, I see that there is no way to actually answer this Complaint or to even give the plaintiff a fair day in court.

I think the plaintiff has been before this court many times before, and I believe this particular Court has asked that she retain competent counsel to assist her in pleading and in framing the issue for the case. I would still concur in that suggestion since there really is absolutely no way I can answer this Complaint as it stands. I don't know what facts she would plead to show the false imprisonment, malicious prosecution, violations of the anti-trust laws, restraint of trade, that is, and the other complaints upon which she bases her actions. That's all I have, your Honor.

MRS. YEE: Excuse me, before all this after all, plaintiff's complaint should have been considered, or the Motion to Strike Defendants' Motion to Dismiss for Failure to State a Claim Upon which Relief can be Granted, for according to Hawaii's Rules of Civil Procedure, Rule 7(c), where demurrers may not be used, which was defendants' defense, which was a demurrer and not real defense, or Rule 12(f), where insufficiency of the defense may be stricken.

So can the Court grant Plaintiff's Complaint and/or Pleadings according to Hawaii Rules of Civil Procedure for Rule 8(a) for claims and procedures of those claims or relief of those claims, for Rule 8(e) for concise and consistent pleading, or for Rule 8(f) for pleadings construed to do substantial justice, and for Rule 9 for pleading special matters, (a) for plaintiff's capacity to plead as plaintiff pro self, or according to Hawaii Revised Statutes Rule 605-2, where plaintiff can plead as plaintiff in any court of the State of Hawaii, or Rule 9(b) for the averments of all complaints against Vitousek, or Rule 9(c) of averment of conditions of all of the complaints, all of them are true, or Rule 9(d) against the false arrest "guardian ad litem" document which was fraud and negligent, and against Rule 9(e) against Judge Betty Vitousek's malicious abuse of judicial process, which was malicious, negligent, conflict, fraudulent, frivolous, illegal, collusion, defamatory, falsification, and total disregard of truth against Judge Betty Vitousek's malicious motive to destroy a good woman. Or Rule 9(f) for all of this was perpetrated in the State of Hawaii, specifically in the City and County of Honolulu. Or Rule 9(g) for the items of special damages and all damages specifically named.

THE COURT: Mrs. Yee, do you understand the proceeding that we're having at this time?

MRS. YEE: Exactly. I have moved for Motion to Strike—

THE COURT: I am not talking about your motion. At this time, I am talking about the motion brought by the State for dismissal for failure to state a claim upon which relief can be granted or in the alternative motion for more definite statement.

MRS. YEE: Oh, I have moved for the motion to strike defendant's motion. This was also inclusive of the State or any of the State members who were in collusion against plaintiff.

THE COURT: I'm asking you, do you understand the proceeding at this time as to what you have to prove or what is requested of you?

MRS. YEE: Oh, I think so.

THE COURT: Are you ready to bring in more definite state-

OFFICE OF DISCIPLINARY COUNSEL
SUPREME COURT OF THE STATE OF HAWAII
1149 BETHEL STREET, ROOM 711
HONOLULU, HAWAII 96813

JUNG Y. LOWE — PHONE: (808) 521-4591
CHIEF DISCIPLINARY COUNSEL

March 3, 1976

CONFIDENTIAL

Mrs. Janice C. Yee — ODC 48
3169 Alika Avenue
Honolulu, Hawaii 96817

Re: Betty M. Vitousek

Dear Mrs. Yee:

Your written complaint filed with the Hawaii Bar Association and transferred to this office has been transmitted to the Hawaii Supreme Court inasmuch as we have no legal jurisdiction on matters involving a State judge.

Sincerely yours,

/s/ Jung Y. Lowe
JUNG Y. LOWE

JYL/hk

APPENDIX "G(c)"

ment as to your allegations of what is a malpractice and malicious abuse of process of judgment?

MRS. YEE: Oh, I have.

THE COURT: Where the false arrest has taken place or malicious abuse of process. Number 3, fraud and breach of contract; Number 4, violation of my legal Constitutional rights.

MRS. YEE: And according to Hawaii's ethical consideration—

THE COURT: I'm not talking about ethical procedure. I'm asking you are you ready to bring in material facts or allegations?

MRS. YEE: Oh, I have more than presented facts and procedures.

THE COURT: The Court doesn't find it in your Complaint.

MRS. YEE: The Court did not see the plea of July 20th, 1973, which does not warrant getting a guardian ad litem decision out of Judge Vitousek or warrant losing the custody of the children or the loss of the custody of the children?

THE COURT: What does that prove?

MRS. YEE: For the plea of July 20 proves the plaintiff is more—

THE COURT: I'm not going to retry—

MRS. YEE: —more competent—

THE COURT: Mrs. Yee, I am not going to retry the case that has been heard by Judge Vitousek. Your remedy would be to go to the Supreme Court on this matter.

MRS. YEE: Oh, not so. Not so, Judge Kawakami.

THE COURT: I am here to listen to what you have to say—

MRS. YEE: Not so.

THE COURT: —as to what the plaintiff had filed on May, 1975, with reference to the Complaint against Mrs. Vitousek, where you allege ten items there. I'm asking you, are you ready now, as requested by the State's attorney?

MRS. YEE: As plaintiff against Judge Vitousek as defendant, of course.

THE COURT: Under the circumstances, the Court will grant the motion for dismissal as requested by the State and deny the motion for Items 1 and 2—

MRS. YEE: Can the Judge reconsider for I am not through.

THE COURT: —by plaintiff.

Court is adjourned.

(Court adjourned at 10:47 o'clock a.m.)

CERTIFICATION

I, Toshie Shishido, Official Court Reporter, do hereby certify that I reported in shorthand the proceedings had in Civil No. 45123, Janice Ching Yee, Plaintiff, vs. Betty Vitousek, Judge, and/or the Family Court of the State of Hawaii, before the Honorable Harold Y. Shintaku, Seventh Judge, Presiding, on Wednesday, August 6, 1975; and that the foregoing pages comprise a full, true and correct transcription of my shorthand notes so taken of said proceedings.

Dated this 9th day of August, 1975, at Honolulu, Hawaii.

/s/ Toshie Shishido

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. JAMES E. KOSHIBA and/or the HAWAII BAR ASSOCIATION, Defendants-Appellees.	)	CIVIL NO. 44262 APPEAL FROM THE JUDGEMENT "IN TOTO", FILED JUNE 16, 1975 FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

AMENDMENT OF OPENING BRIEF

I hereby certify a copy of this
Amendment will be served on:
WILLIAM FLEMING &/OR EDWARD deLAPPE BOYLE
CADES, SCHUTTE, FLEMING, & WRIGHT
165 South King Street
Honolulu, Hawaii, 96813
Attorneys for: KOSHIBA &/OR HAWAII BAR ASSOC.
Defendants-Appellees

this 23rd day of March, 1976. Refused filing.

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

March 31, 1976. Sent by certified mail.

APPENDIX "H"

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 44262 APPEAL FROM THE JUDGEMENT "IN TOTO" FILED JUNE 16, 1975
vs.	)	
JAMES E. KOSHIBA and/or the HAWAII BAR ASSOCIATION, Defendants-Appellees.	)	FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

AMENDMENT OF OPENING BRIEF

Plaintiff-Appellant Pro Se hereby Motions for Amendment of the Opening Brief, according to *Rule 15 of HAWAII'S RULES* OF CIVIL PROCEDURE, whereby ALL members of Hawaii's Bar Association, who were not involved in the Conspiracy as Contributory Conspirators* for Prejudiced Persecution by Malicious Abuse of Judicial Process, as Coercion of Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se Janice Ching Yee against this Malicious Abuse of Judicial Process for Defamation, Libel, and Slander for Deprivation of Income and Legal Rights for same Appellant Pro Se, can sign an Affidavit under oath, swearing they were not or are not involved in the Conspiracy as Contributory Conspirators* in the Civil Case No. 44262, which is on Appeal in Hawaii's Supreme Court as HSC+ NO. 5970.
Dated, March 23, 1976.

Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

*page 2.
+HSC—HAWAII SUPREME COURT.

Conspirators:
*Alfred Alphonse Yee &/or Alfred A. Yee & Associates HSC #6102
Stephanie Kokernak, HSC #5943
Edward Chun &/or Chun, Kerr, & Dodd, HSC #5903; USSC #75-1143
Robert Hogan &/or Hogan, Rother, Grimes, & Bybee, HSC #5971
Judge B. M. Vitousek &/or the Family Court of the First Circuit of the State of Hawaii, HSC #6008
Dr. Betty Adams &/or Hawaii's Dept. of Health, AND/OR Gerry Nagahisa &/or the Adult Service Branch of the State of Hawaii's Family Court, First Circuit, HSC #5924
Harold Nickelsen &/or Conroy, Hamilton, Gibson, Nickelsen & Rush, HSC #5969
James Koshiba &/or the Hawaii Bar Association, HSC #5970
Robert Franklin, HSC #5949, pending appeal to USSC++

++USSC—UNITED STATES SUPREME COURT

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 44263
vs.	)	APPEAL FROM THE ORDER FILED MAY 7, 1975, DENYING MOTION FOR RETRIAL FOR PLAINTIFF; MOTION TO AMEND COMPLAINT; MOTION TO STRIKE OPPOSITION; AND MOTION FOR SUMMARY JUDGEMENT FOR PLAINTIFF
GERRY NAGAHISA, Social Worker, and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT of the FIRST CIRCUIT AND/OR the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants-Appellees.	)	FIRST CIRCUIT COURT
	)	Honorable Norito Kawakami Judge

AMENDMENT OF OPENING BRIEF

I hereby certify a copy of this Amendment
will be served on Attorney General & Deputy:
RONALD AMEMIYA 694
NELSON CHANG 726
for: ADAMS, ET AL, &/OR NAGAHISA, ET AL
Defendants-Appellees.
State Capitol Building
415 S. Beretania Street
Honolulu, Hawaii

this 23rd day of March, 1976. Refused filing.

APPENDIX "H"

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

March 31, 1976. Sent by certified mail.

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se	)	CIVIL NO. 44263
vs.	)	APPEAL FROM THE ORDER FILED MAY 7, 1975, DENYING MOTION FOR RETRIAL FOR PLAINTIFF; MOTION TO AMEND COMPLAINT; MOTION TO STRIKE OPPOSITION; AND MOTION FOR SUMMARY JUDGEMENT FOR PLAINTIFF
GERRY NAGAHISA, Social Worker, and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT of the FIRST CIRCUIT AND/OR the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants-Appellees.	)	FIRST CIRCUIT COURT Honorable Norito Kawakami Judge

AMENDMENT OF OPENING BRIEF

Plaintiff-Appellant Pro Se hereby Motions for Amendment of the Opening Brief, according to *Rule 15 of HAWAII'S RULES OF CIVIL PROCEDURE,* whereby ALL members of Hawaii's Family Court OR Hawaii's Department of Health, who were not involved in the Conspiracy as Contributory Conspirators* for Prejudiced Persecution by Malicious Abuse of Judicial Process, as Coercion of Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, Janice Yee against this Malicious Abuse of Judicial Process for Defamation, Libel, and Slander for Deprivation of Income and Legal Rights for same Plaintiff-Appellant, can sign an affidavit under oath swearing they were not or are not involved in the Conspiracy as Contributory Conspirators* in the Civil Case No. 44263, which is

*page 2.

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 45123
vs.	)	APPEAL FROM THE ORDER GRANTING MOTION TO DISMISS FOR DEFENDANTS' FILED AUGUST 28, 1975
BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, Defendants-Appellees.	)	FIRST CIRCUIT COURT Honorable Harold Y. Shintaku Judge

AMENDMENT OF OPENING BRIEF

I hereby certify that a copy of
the Amendment will be served on:

RONALD AMEMIYA 694
CEDRIC CHOI 1375
Attorney General & Deputy
for: Judge Betty M. Vitousek
HAWAII STATE CAPITOL
415 S. Beretania Street,
Honolulu, Hawaii

this 23rd day of March, 1976. Refused filing.

/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

March 31, 1976. Sent by certified mail.

APPENDIX "H"

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se,	)	CIVIL NO. 45123
vs.	)	APPEAL FROM THE ORDER GRANTING MOTION TO DISMISS FOR DEFENDANTS' FILED AUGUST 28, 1975
BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, Defendants-Appellees.	)	FIRST CIRCUIT COURT Honorable Harold Y. Shintaku Judge

AMENDMENT OF OPENING BRIEF

Plaintiff-Appellant Pro Se hereby Motions for Amendment of the Opening Brief, according to *Rule 15 of HAWAII'S RULES OF CIVIL PROCEDURE*, whereby ALL members of Hawaii's Family Court OR Hawaii Bar Association OR Clerks of Hawaii's Supreme Court, who were not involved in the Conspiracy as Contributory Conspirators* for Prejudiced Persecution by Malicious Abuse of Judicial Process, as Coercion of Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se, Janice Ching Yee, against this Malicious Abuse of Judicial Process for Defamation, Libel, and Slander for Deprivation of Income and Legal Rights for same Plaintiff-Appellant, can sign an affidavit under oath swearing they were not or are not involved in the Conspiracy as Contributory Conspirators* in the Civil Case No. 44123, which is on Appeal in Hawaii's Supreme Court as HSC+ No. 6008.
Dated, March 23, 1976.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

*page 2.
+HSC—HAWAII'S SUPREME COURT.

on Appeal in Hawaii's Supreme Court as HSC+ NO. 5924.
Dated, March 23, 1976.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

+HSC—HAWAII SUPREME COURT.

Conspirators:
*Alfred Alphonse Yee &/or Alfred A. Yee & Associates HSC #6102
Stephanie Kokernak, HSC #5943
Edward Chun &/or Chun, Kerr, & Dodd, HSC #5903; USSC #75-1143
Robert Hogan &/or Hogan, Rother, Grimes, & Bybee, HSC #5971
Judge B. M. Vitousek &/or the Family Court of the First Circuit of the State of Hawaii, HSC #6008
Dr. Betty Adams &/or Hawaii's Dept. of Health, AND/OR Gerry Nagahisa &/or the Adult Service Branch of the State of Hawaii's Family Court, First Circuit, HSC #5924
Harold Nickelsen &/or Conroy, Hamilton, Gibson, Nickelsen & Rush, HSC #5969
James Koshiba &/or the Hawaii Bar Association, HSC #5970
Robert Franklin, HSC #5949, pending appeal to USSC++

*page 3.

APPENDIX "H"

++USSC—UNITED STATES SUPREME COURT

Conspirators:
*Alfred Alphonse Yee &/or Alfred A. Yee & Associates HSC #6102
Stephanie Kokernak, HSC #5943
Edward Chun &/or Chun, Kerr, & Dodd, HSC #5903; USSC #75-1143
Robert Hogan &/or Hogan, Rother, Grimes, & Bybee, HSC #5971
Judge B. M. Vitousek &/or the Family Court of the First Circuit of the State of Hawaii, HSC #6008
Dr. Betty Adams &/or Hawaii's Dept. of Health, AND/OR Gerry Nagahisa &/or the Adult Service Branch of the State of Hawaii's Family Court, First Circuit, HSC #5924
Harold Nickelsen &/or Conroy, Hamilton, Gibson, Nickelsen & Rush, HSC #5969
James Koshiba &/or the Hawaii Bar Association, HSC #5970
Robert Franklin, HSC #5949, pending appeal to USSC++

*page 3.

++USSC—UNITED STATES SUPREME COURT

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 JUN 10 PM 1:15
/s/ H. SETO
CLERK

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. ROBERT FRANKLIN, Defendant.	CIVIL NO. 44869 NOTICE OF APPEAL DESIGNATION OF RECORD OF APPEAL

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN where Plaintiff, Janice Ching Yee, hereby appeals to the Supreme Court of the Judgement entered on June 4, 1975, in the above-entitled matter, directing a verdict in favor of Robert Franklin, Defendant.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff

Dated, June 10, 1975
Honolulu, Hawaii

APPENDIX "I(A)"
for HSC #5949

MRS. JANICE CHING Yee
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. ROBERT FRANKLIN, Defendant.	CIVIL NO. 44869 DESIGNATION OF RECORD APPEAL

DESIGNATION OF RECORD OF APPEAL

The Plaintiff, Janice Ching Yee, hereby designates as the record on appeal, the complete record, transcript and file of proceedings in Civil No. 44869.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff

Dated, June 10, 1975
Honolulu, Hawaii

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 DEC 15 PM 3:30
/s/ H. SETO
CLERK

PLAINTIFF FOR PLAINTIFF PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	)	FC-D No. 81258 NOTICE OF APPEAL; DESIGNATION OF RECORD OF APPEAL

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, according to *Rule 73 of HAWAII'S RULES OF CIVIL PROCEDURE and Chapter 602-5 of HAWAII'S REVISED STATUTES,* whereof Plaintiff Pro Se Janice Ching Yee APPEALS to the Hawaii's Supreme Court for the Judgement entered March 1, 1973, in the above-entitled matter directing a verdict for Plaintiff Pro Se for although favorable, by Judge Vitousek, it does not accord Plaintiff all of the relief entitled as hereby appealed, for the terms of the FINAL DIVORCE DECREE, ORDER, AND JUDGEMENT.

Extension of time for Appeal hereby is asked, according to *HAWAII'S REVISED STATUTES, Chapter 657-20,* against Defendants' Concealment of Malice for Conspiracy for Malicious Abuse of Judicial Process by Prejudiced Judicial Persecution for the Deprivation of Income and all Legal Rights for Plaintiff ProSe.

Extension of time for Appeal hereby is also asked, according to direction from Hawaii's Supreme Court's Order of Nov. 3, 1975, directing "attention to Vitousek's Eighth Supplemental Decision and Order (filed April 28, 1975) wherein the Judge states, to-wit:

"that each party shall have thirty days from the date of approval by this court of the trust instrument to be submitted by Defendant pursuant to paragraph 1(A) (4) (a) of the Sixth Supplemental Decision and Order filed herein on April 4, 1975 to perfect a Notice of Appeal to the Supreme Court of Hawaii."

If Hawaii's Supreme Court will excuse Plaintiff-Appellant Pro Se, I have tried and cannot persuade Judge Vitousek to cancel the "trustee" and "trust instrument" or sign the "trust instrument", so Plaintiff-Appellant Pro Se can Appeal to Hawaii's Supreme Court.

So, will Hawaii's Supreme Court please consider this Notice of Appeal as timely.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff Pro Se

Dated December 15, 1975
Honolulu, Hawaii

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1975 DEC 15 PM 3:30

/s/ H. Seto
CLERK

APPENDIX "I(B)(a)"
for HSC #6102

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES. Defendants.	FC-D No. 81258 DESIGNATION OF RECORD ON APPEAL

DESIGNATION OF RECORD ON APPEAL

The Plaintiff Pro Se, Janice Ching Yee, hereby designates as the Record on Appeal, the complete Record, all Transcripts, and file of Proceedings in FC-D No. 81258.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff Pro Se

Dated December 15, 1975
Honolulu, Hawaii

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1976 FEB 10 PM 2:49

/s/ H. SETO
CLERK

PLAINTIFF FOR PLAINTIFF PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES. Defendants.	FC-D No. 81258 DESIGNATION OF RECORD ON APPEAL

AMENDED DESIGNATION OF RECORD ON APPEAL

Plaintiff Pro Se, Janice Ching Yee, hereby amends Designation of Record on Appeal for S.C. case No. 6102 to designate the COMPLETE RECORD for YEE vs. YEE, or ALL PLEADINGS, PROCEEDINGS, FILES, AND ALL TRANSCRIPTS of case FC-D No. 81258 and S.C. No. 5930 as part and parcel of the COMPLETE RECORD for case S.C. No. 6102, presently on Appeal in Hawaii's Supreme Court; so as to conform to the present evidence.

The Jurisdiction for this Amended Designation resides on *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 15(b), and/or Rule 73 and/or Rule 75,* wherever applicable; AND/OR *HAWAII'S REVISED STATUTES, Chapter 605-2 and/or Chapter 641-4 and/or 641-24 AND/OR HAWAII'S FAMILY COURT RULES, Rule 91(a). HAWAII'S RULES OF CIVIL*

APPENDIX "I(B)(a)"
for HSC #6102

PROCEDURE, Rule 60(b) (1) for excusable inadvertent neglect can also apply, for its Jurisdiction.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff Pro Se

Dated February 10, 1976

Honolulu, Hawaii

APPENDIX "I(B)(a)"
for HSC #6102

CERTIFICATE OF SERVICE

I hereby certify a copy of the Amended Designation, filed on February 10, 1976, was served on:
Counsel Edward Chun for:
Defendants-Appellees Alfred Alphonse Yee et al,
at: CHUN, KERR, & DODD
14th Floor, Amfac Building
700 Bishop Street
Honolulu, Hawaii, 96813
on February 10, 1976 by certified mail, receipt No. 784506, for case FC-D No. 81258.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1976 FEB 23 PM 3:07

/s/ Y. BABA
CLERK

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	FC-D No. 81258 CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

Plaintiff Pro Se hereby certifies a copy of the Amended Designation, filed on February 10, 1976, was served on:

Counsel, Edward Chun et al for:
Defendants (Appellees) Alfred Alphonse et al,
at: CHUN, KERR, & DODD
14th Floor, Amfac Building
700 Bishop Street
Honolulu, Hawaii, 96813

on February 10, 1976, by certified mail, receipt No. 784506, for case FC-D No. 81258.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1976 FEB 23 AM 9:31

/s/ H. SETO
CLERK

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	FC-D No. 81258 NOTICE OF AMENDMENT OF APPEAL DESIGNATION OF RECORD FOR THIS APPEAL AFFIDAVIT OF PLAINTIFF CERTIFICATE OF SERVICE

NOTICE OF AMENDMENT OF APPEAL

NOTICE IS HEREBY GIVEN, according to *HAWAII'S RULES OF CIVIL PROCEDURE*, Rule 73 and/or Rule 75 and/or Rule 15, wherever applicable, for conformity to the evidence against Judge Betty Vitousek's complicated Supplemental Decisions; which dates should revert back for proper Appeal, wherefor Plaintiff (Appellant) Pro Se Appeals to the Hawaii's Supreme Court's Justices' prerogative to accept this Amendment of Appeal, dated December 15, 1975 as timely; for "Justice so requires", for a fast determination of this Complete case FC-D No. 81258, presently docketed in the Supreme Court of Hawaii, as case S.C. No. 6102.

This Amendment of Appeal for Plaintiff (Appellant) Pro Se to the Supreme Court of Hawaii, is against Judge Vitousek's 11th Supplemental Decision, approving a complicated "trust agreement", which is, in essence, for "financial enslavement" or "involuntary financial servitude" of Plaintiff (Appellant) Pro

Se against the lower Family Court appointed "trustee" as a "false arrest" Order against Plaintiff (Appellant) Pro Se Janice Ching Yee as a capable, Christian, Capitalist woman; whereby this Amendment of Appeal can be incorporated and pled together with Plaintiff-Appellant Pro Se's Opening Brief for this case FC-D No. 81258, docketed in Hawaii's Supreme Court as S.C. No. 6102.

The Jurisdiction for this Amendment of Appeal resides also on *HAWAII'S REVISED STATUTES, Chapter 602-5, Chapter 605-2,* and/or *Chapter 641-4 and/or 641-24,* for prerogative and initiative of Hawaii's Supreme Court Justices to do this; AND/OR *HAWAII'S FAMILY COURT RULES, Rule 91(a). HAWAII'S RULES OF CIVIL PROCEDURE, Rule 60(b) (1)* for excusable inadvertance can also apply for its Jurisdiction.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff(Appellant) Pro Se

3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated, February 23, 1976.

APPENDIX "I(B)(a)"
for HSC #6102

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	)	FC-D No. 81258
	)	DESIGNATION OF
vs.	)	RECORD FOR
	)	THIS APPEAL
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	)	

DESIGNATION OF RECORD FOR THIS AMENDMENT OF APPEAL

Plaintiff(Appellant) Pro Se hereby DESIGNATES AS THE RECORD ON APPEAL, the Complete Record, all Transcripts and File of Proceedings in FC-D No. 81258, and Records for the previous Appeal, recorded as case S.C. No. 5930, Dismissed for untimeliness. This was previously amended and filed on February 10, 1976.

The Jurisdiction for this Designation of Record for this Amendment of Appeal, resides on *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 15 and/or Rule 73 and/or Rule 75,* wherever applicable; AND/OR *HAWAII'S REVISED STATUTES, Chapter 602-5, Chapter 605-2, Chapter 641-4 and/or Chapter 641-24;* AND/OR *HAWAII'S FAMILY COURT RULES, Rule 91(a). HAWAII'S RULES OF CIVIL PROCEDURE, Rule 60(b) (1)* for excusable inadvertence can also apply, for Jurisdiction.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff(Appellant) Pro Se

Dated, February 23, 1976.

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	)	FC-D No. 81258
	)	AFFIDAVIT OF
vs.	)	PLAINTIFF
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	)	

AFFIDAVIT OF PLAINTIFF(APPELLANT) PRO SE

I am Mrs. Janice Ching Yee, Plaintiff(Appellant)Pro Se, of 3169 Alika Avenue of Honolulu, Hawaii, (96817), and being duly sworn and under oath, swear, and affirm that all of my "unprofessional" Legal Pleadings are pled in good faith and/or with good intentions, for a fast determination of this case.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff(Appellant)Pro Se

Subscribed and sworn to before
me this 23rd day of
February, 1976.

/s/ Anne Osenburg
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires: Oct 15, 1978

CERTIFICATE OF SERVICE

I hereby certify a copy of this Notice of Amendment of Appeal Designation of Record, and Affidavit; was served on:
Attorney Edward Chun for:
Defendants-Appellees Alfred Alphonse Yee et al
at: CHUN, KERR, & DODD
14th Floor, Amfac Building
700 Bishop Street
Honoluiu, Hawaii 96813
this 23rd day of February , 1976, for case FC-D No. 81258.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff(Appellant) Pro Se

/s/ Edward Chun
RECEIVED FOR:
EDWARD CHUN ET AL, ATTORNEY
FOR: ALFRED ALPHONSE YEE ET AL
DEFENDANTS-APPELLEES

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 May 5 PM 12:47
/s/ Y. BABA
CLERK

PLAINTIFF FOR PLAINTIFF

Pro Se

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff,	FC-D No. 81258
vs.	NOTICE OF APPEAL; DESIGNATION OF
ALFRED ALPHONSE YEE, Defendant.	RECORD OF APPEAL

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN where Plaintiff, Janice Ching Yee, hereby appeals to the Supreme Court of the Judgment entered on:

1) April 4, 1975, Sixth Supplemental Decision and Order, etc.;
2) April 11, 1975, Supplementary Statement to Sixth Supplemental Decision and Order;
3) April 11, 1975, Seventh Supplemental Decision and Order;
4) April 28, 1975, Eighth Supplemental Decision and Order; and/or
5) April 29, 1975, Defendant's Motion to Amend Sixth Supplemental Decision and Order;

in the above-entitled matter directing a verdict in favor of Defendant, Alfred Alphonse Yee by Judge Betty Vitousek.

APPENDIX "I(B)(b)"
for HSC #5930

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff
Dated, May 4, 1975
Honolulu, Hawaii

APPENDIX "I(B)(b)"
for HSC #5930

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 May 5 PM 12:47
/s/ Y. BABA
CLERK

PLAINTIFF FOR PLAINTIFF

Pro Se

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff,	FC-D No. 81258
vs.	NOTICE OF APPEAL; DESIGNATION OF RECORD OF APPEAL
ALFRED ALPHONSE YEE, Defendant.	

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN where Plaintiff, Janice Ching Yee, hereby appeals to the Supreme Court of the Judgment entered on:

1) April 4, 1975, Sixth Supplemental Decision and Order, etc.;
2) April 11, 1975, Supplementary Statement to Sixth Supplemental Decision and Order;
3) April 11, 1975, Seventh Supplemental Decision and Order;
4) April 28, 1975, Eighth Supplemental Decision and Order; and/or
5) April 29, 1975, Defendant's Motion to Amend Sixth Supplemental Decision and Order;

in the above-entitled matter directing a verdict in favor of Defendant, Alfred Alphonse Yee by Judge Betty Vitousek.

APPENDIX "I(B)(b)"
for HSC #5930

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff
Dated, May 4, 1975
Honolulu, Hawaii

APPENDIX "I(B)(b)"
for HSC #5930

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff,	)	FC-D No. 81258
vs.	)	DESIGNATION OF RECORD ON APPEAL
ALFRED ALPHONSE YEE, Defendant.	)	

DESIGNATION OF RECORD ON APPEAL

The Plaintiff, Janice Ching Yee, hereby designates as the record on appeal, the complete record, transcripts and file of proceedings in FC-D No. 81258.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,

Dated, May 4, 1975
Honolulu, Hawaii

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 JUN 4 AM 10:18
R.S. YAMADA
CLERK

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. STEPHANIE KOKERNAK, Defendant.	)	CIVIL NO. 44869 NOTICE OF APPEAL DESIGNATION OF RECORD OF APPEAL

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN where Plaintiff, Janice Ching Yee, hereby appeals to the Supreme Court of the Judgement entered on May 29, 1975, in the above-entitled matter, directing a verdict in favor of Stephanie Kokernak, Defendant.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff

Dated, June 4, 1975
Honolulu, Hawaii

APPENDIX "I(c)(a)"

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. STEPHANIE KOKERNAK, Defendant.	)	CIVIL NO. 44869 DESIGNATION OF RECORD ON APPEAL

DESIGNATION OF RECORD ON APPEAL

The Plaintiff, Janice Ching Yee, hereby designates as the record on appeal, the complete record, transcript and file of proceedings in CIVIL NO. 44869.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee, Plaintiff

Dated, June 4, 1975
Honolulu, Hawaii

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 JUL 7 AM 9:28
R.S. YAMADA
CLERK

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES, & BYBEE, Attorneys, Defendants.	)	CIVIL NO. 44240 NOTICE OF APPEAL DESIGNATION OF RECORD ON APPEAL

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN where Plaintiff, Janice Ching Yee, hereby appeals to the Supreme Court of the Judgement entered on June 12, 1975, in the above-entitled matter, directing a verdict in favor of Robert Hogan, et al, Defendants.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee, Plaintiff

Dated, July 7, 1975
Honolulu, Hawaii

APPENDIX "I(C)(b)"

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES, & BYBEE, Attorneys, Defendants.	)	CIVIL NO. 44240 DESIGNATION OF RECORD ON APPEAL

DESIGNATION OF RECORD ON APPEAL

The Plaintiff, Janice Ching Yee, hereby designates as the record on appeal, the complete record, transcript and file of proceedings in Civil No. 44240.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee, Plaintiff

Dated, July 7, 1975
Honolulu, Hawaii

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 SEP 2 AM 8:15
H. SETO
CLERK

PLAINTIFF FOR PLAINTIFF PRO SE

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, Defendants.	)	CIVIL NO. 45123 NOTICE OF APPEAL DESIGNATION OF RECORD ON APPEAL

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN where Plaintiff, Janice Ching Yee, hereby appeals to the Supreme Court of the Judgement entered on August 6, 1975, in the above-entitled matter, directing a verdict in favor of Betty Vitousek, et al, Defendants.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff Pro Se

Dated, September 1, 1975
Honolulu, Hawaii

APPENDIX "I(C)(c)"

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF PRO SE

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, Defendants.	)	CIVIL NO. 45123 DESIGNATION OF RECORD ON APPEAL

DESIGNATION OF RECORD ON APPEAL

The Plaintiff, Janice Ching Yee, hereby designates as the record on appeal, the complete record, transcript and file of proceedings in Civil No. 45123.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Cing Yee
Plaintiff Pro Se

Dated, September 1, 1975
Honolulu, Hawaii

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 MAY 12 AM 9:01
Y. BABA
CLERK

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. GERRY NAGAHISA, social worker, &/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT OF THE FIRST CIRCUIT, and/or BETTY ADAMS, psychiatrist, &/or the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants.	CIVIL NO. 44263 NOTICE OF APPEAL; DESIGNATION OF RECORD OF APPEAL

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN where Plaintiff, Janice Ching Yee, hereby appeals to the Supreme Court of the Judgement entered on May 7, 1975, in the above-entitled matter, directing a verdict in favor of Gerry Nagahisa, social worker, et al; and/or Betty Adams, psychiatrist, et al, Defendants.

/s/ Mrs. Janice Ching Yee,
Mrs. Janice Ching Yee,
Plaintiff

APPENDIX "I(C)(d)"

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. GERRY NAGAHISA, social worker, &/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT OF THE FIRST CIRCUIT, and/or BETTY ADAMS, psychiatrist, &/or the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants.	CIVIL NO. 44263 DESIGNATION OF RECORD ON APPEAL

DESIGNATION OF RECORD ON APPEAL

The Plaintiff, Janice Ching Yee, hereby designates as the record on appeal, the complete record, transcript and file of proceeding in CIVIL NO. 4462.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff

Dated, May 12, 1975
Honolulu, Hawaii

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF

ProSe

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 JUL 7 AM 9:26
R.S. YAMADA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff,	)	CIVIL NO. 44244
vs.	)	NOTICE OF APPEAL DESIGNATION OF RECORD ON APPEAL
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, AND RUSH, Defendants.	)	

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN where Plaintiff, Janice Ching Yee, hereby appeals to the Supreme Court of the Judgement entered on June 12, 1975 in the above-entitled matter, directing a verdict in favor of Harold Nickelsen, et al, Defendants.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff

Dated, July 7, 1975
Honolulu, Hawaii

APPENDIX "I(C)(e)"

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff,	)	CIVIL NO. 44244
vs.	)	DESIGNATION OF RECORD ON APPEAL
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, AND RUSH, Defendants.	)	

DESIGNATION OF RECORD ON APPEAL

The Plaintiff, Janice Ching Yee, hereby designates as the record on appeal, the complete record, transcript and file of proceedings in Civil No. 44244.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff

Dated, July 7, 1975
Honolulu, Hawaii

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1975 JUL 7 AM 9:27
R.S. YAMADA
CLERK

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff,	)	CIVIL NO. 44262
vs.	)	NOTICE OF APPEAL DESIGNATION OF RECORD ON APPEAL
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION, Defendants.	)	

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN where Plaintiff, Janice Ching Yee, hereby appeals to the Supreme Court of the Judgement entered on June 12, 1975, in the above-entitled matter, directing a verdict in favor of James Koshiba and/or the HAWAII BAR ASSOCIATION, Defendants.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff

Dated, July 7, 1975
Honolulu, Hawaii

APPENDIX "I(C)(f)"

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF

ProSe

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION, Defendants.	)	CIVIL NO. 44262 DESIGNATION OF RECORD ON APPEAL

DESIGNATION OF RECORD ON APPEAL

The Plaintiff, Janice Ching Yee, hereby designates as the record on appeal, the complete record, transcript and file of proceedings in Civil No. 44262.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee,
Plaintiff

Dated, July 7, 1975
Honolulu, Hawaii

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	MOTION TO AMEND OPENING BRIEF

ORDER

FILED
1976 MAR 31 PM 3:26
/s/ Clement J.H. Chun
CLERK SUPREME COURT

APPENDIX "J"

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	MOTION TO AMEND OPENING BRIEF

ORDER

Appellant's Motion to Amend Opening Brief, filed on March 23, 1976, is hereby denied without argument.

DATED: Honolulu, Hawaii, March 31, 1976.

BY THE COURT:

/s/ William S. Richardson
Chief Justice

SEAL

NO. 5943

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. STEPHANIE KOKERNAK, Defendant-Appellee.	)	MOTION TO DISMISS OR TO AFFIRM JUDGMENT

ORDER

FILED
1976 APR 1 PM 3:55
/s/ Samuel K. Makekau
CLERK SUPREME COURT

APPENDIX "J"

NO. 5943

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. STEPHANIE KOKERNAK, Defendant-Appellee.	MOTION TO DISMISS OR TO AFFIRM JUDGMENT

ORDER

Upon motion of appellee to dismiss or affirm judgment, and upon appellant's objection to motion to dismiss or affirm judgment, and motion to strike motion to dismiss or affirm judgment, and motion to grant amendment of opening brief, and after hearing held, and having reviewed and considered the memorandum in support of the respective motions, and further having reviewed and considered appellant's opening brief and reply brief and appellee's answering brief,

IT IS ORDERED:

Appellant's motions are denied.

Appellee's motion to dismiss is granted and the judgment of the trial court is affirmed.

DATED: Honolulu, Hawaii, April 1, 1976.

SEAL

/s/ William S. Richardson
/s/ Bert T. Kobayashi
/s/ Thomas S. Ogata
/s/ Benjamin Menor
/s/ Robert Won Bae Chang

NO. 5971

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. ROBERT G. HOGAN and/or HOGAN, ROTHER, GRIMES & BYBEE, Attorneys, Defendants-Appellees.	MOTION TO DISMISS APPEAL OR IN THE ALTERNATIVE TO STRIKE OPENING BRIEF

ORDER

FILED
1976 APR 1 PM 4:01
/s/ Samuel K. Makekau
CLERK SUPREME COURT

APPENDIX "J"

NO. 5971

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. ROBERT G. HOGAN and/or HOGAN, ROTHER, GRIMES & BYBEE, Attorneys, Defendants-Appellees.	)	MOTION TO DISMISS APPEAL OR IN THE ALTERNATIVE TO STRIKE OPENING BRIEF

ORDER

Upon motion of appellees to dismiss appeal or in the alternative to strike the opening brief, and upon appellant's objections to appellees' motion, and after hearing held, and having reviewed and considered the memorandum in support of the respective motion and objections, and further having reviewed and considered appellant's opening brief,

IT IS ORDERED:

Appellees' motion to dismiss appeal is granted and the judgment of the trial court is affirmed.

DATED: Honolulu, Hawaii, April 1, 1976.

/s/ William S. Richardson
/s/ Bert T. Kobayashi
/s/ Thomas S. Ogata
/s/ Benjamin Menor
/s/ Robert Won Bae Chang

SEAL

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. BETTY VITOUSEK, Judge, and/or the FAMILY COURT OF THE FIRST CIRCUIT OF THE STATE OF HAWAII, Defendants-Appellees.	)	AND ALTERNATIVE MOTION TO DISMISS AND A FURTHER ALTERNATIVE MOTION FOR EXTENSION OF TIME TO FILE AN ANSWERING BRIEF

ORDER

FILED
1976 APR 11 PM 4:04
/s/ Samuel K. Makekau
CLERK SUPREME COURT

APPENDIX "J"

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. BETTY VITOUSEK, Judge, and/or the FAMILY COURT OF THE FIRST CIRCUIT OF THE STATE OF HAWAII, Defendants-Appellees.	MOTION TO AFFIRM AND ALTERNATIVE MOTION TO DISMISS AND A FURTHER ALTERNATIVE MOTION FOR EXTENSION OF TIME TO FILE AN ANSWERING BRIEF

ORDER

Upon motion of appellee to affirm an alternative motion to dismiss, and further alternative motion for extension of time to file an answering brief, and upon motion of appellant to strike appellee's motions, and after hearing held, and having reviewed and considered the memorandum in support of the respective motions, and further having reviewed and considered appellant's opening brief,

IT IS ORDERED:

Appellee's motion to dismiss appeal and to affirm the judgment of the trial court is granted.

DATED: Honolulu, Hawaii, April 1, 1976.

SEAL

/s/ William S. Richardson
/s/ Bert T. Kobayashi
/s/ Thomas S. Ogata
/s/ Benjamin Menor
/s/ Robert Won Bae Chang

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. GERRY NAGAHISA, social worker, and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT of the FIRST CIRCUIT and/or BETTY ADAMS, Psychiatrist, and/or the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants-Appellees.	MOTION TO DISMISS

ORDER

FILED
1976 APR 1 PM 3:51
/s/ Samuel K. Makekau
CLERK SUPREME COURT

APPENDIX "J"

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. GERRY NAGAHISA, social worker, and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT of the FIRST CIRCUIT and/or BETTY ADAMS, Psychiatrist, and/or the DEPARTMENT OF HEALTH of the STATE OF HAWAII, Defendants-Appellees.	)	MOTION TO DISMISS

ORDER

Upon motion of appellees to dismiss appeal, and upon motion of appellant to strike appellees' motion, and after hearing held, and having reviewed and considered the memorandum in support of the respective motions, and further having reviewed and considered appellant's opening brief and reply brief, and appellees' answering brief,

IT IS ORDERED:

Appellees' motion to dismiss appeal is granted and the judgment of the trial court is affirmed.

DATED: Honolulu, Hawaii, April 1, 1976.

/s/ William S. Richardson
/s/ Bert T. Kobayashi
/s/ Thomas S. Ogata
/s/ Benjamin Menor
/s/ Robert Won Bae Chang

SEAL

NO. 5969

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. HAROLD NICKELSEN, and/or CONROY, HAMILTON, GIBSON, NICKELSEN AND RUSH, Defendants-Appellees.	)	MOTION TO DISMISS APPEAL OR IN THE ALTERNATIVE TO STRIKE OPENING BRIEF

ORDER

FILED
1976 APR 1 PM 3:58
/s/ Samuel K. Makekau
CLERK SUPREME COURT

APPENDIX "J"

NO. 5969

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. HAROLD NICKELSEN, and/or CONROY, HAMILTON, GIBSON, NICKELSEN AND RUSH, Defendants-Appellees.	MOTION TO DISMISS APPEAL OR IN THE ALTERNATIVE TO STRIKE OPENING BRIEF

ORDER

Upon motion of appellees to dismiss appeal or in the alternative to strike the opening brief, and upon appellant's objections to appellee's motion, and after hearing held, and having reviewed and considered the memorandum in support of the respective motion and objections, and further having reviewed and considered appellant's opening brief,

IT IS ORDERED:

Appellees' motion to dismiss appeal is granted and the judgment of the trial court is affirmed.

DATED: Honolulu, Hawaii, April 1, 1976.

SEAL

/s/ William S. Richardson
/s/ Bert T. Kobayashi
/s/ Thomas S. Ogata
/s/ Benjamin Menor
/s/ Robert Won Bae Chang

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. JAMES E. KOSHIBA and/or THE HAWAII BAR ASSOCIATION, Defendants-Appellees.	MOTION TO DISMISS THE APPEAL OR IN THE ALTERNATIVE TO STRIKE THE OPENING BRIEF

ORDER

FILED
1976 APR 2 AM 9:34
/s/ Clement J.H. Chun
CLERK SUPREME COURT

APPENDIX "J"

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. JAMES E. KOSHIBA and/or THE HAWAII BAR ASSOCIATION, Defendants-Appellees.	)	MOTION TO DISMISS THE APPEAL OR IN THE ALTERNATIVE TO STRIKE THE OPENING BRIEF

ORDER

A hearing having been held on March 9, 1976, upon the motion of appellees to dismiss appeal or in the alternative to strike opening brief, and upon appellant's objections to appellees' motion, and after having reviewed the record in this case, including the memorandum in support of the respective motion and objections, and having also considered appellant's opening brief on file herein,

IT IS ORDERED:

Appellees' motion to dismiss appeal is granted and the judgment of the trial court is affirmed.

DATED: Honolulu, Hawaii, April 2, 1976.

SEAL

/s/ William S. Richardson
/s/ Thomas S. Ogata
/s/ Benjamin Menor
/s/ Robert Won Bae Chang
/s/ Arthur S. Young

Supreme Court, U. S.
F I L E D
APR 19 1976
MICHAEL RODAK, JR., CLERK

NO. 75-1429

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

JANICE CHING YEE, PETITIONER PRO SE

vs.

ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES, HSC*, NO. 6102,
STEPHANIE KOKERNAK, HSC*, NO. 5943,
EDWARD CHUN and/or CHUN, KERR, DODD, HSC*, NO. 5903
ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES & BYBEE, HSC*, NO. 5971,
JUDGE B.M. VITOUSEK, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, and/or JUDGE NORITO KAWAKAMI, HSC* NO. 6008,
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH and/or GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT HSC*, NO. 5924,
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH, HSC*, NO. 5969,
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION, HSC*, NO. 5970,
ROBERT FRANKLIN, HSC*, NO. 5949,
RESPONDENTS.

SUPPLEMENT TO ~~MOTION FOR AMENDMENT OF~~ JOINT PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF THE UNITED STATES.

*HSC—Hawaii Supreme Court

No._____

IN THE SUPREME COURT

OF THE UNITED STATES

OCTOBER TERM 1975

Janice Ching Yee,
Petitioner Pro Se
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WILLIAM L. FLEMING of
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HAROLD NICKELSEN, ET AL; and
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RONALD AMEMIYA 694
NELSON CHANG 726
Attorney General & Deputy for Respondents:
GERRY NAGAHISA, ET AL; and/or
DR. BETTY ADAMS, ET AL;

RONALD AMEMIYA 694
CEDRIC CHOI 1375
Attorney General & Deputy for Respondent:
JUDGE B.M. VITOUSEK, ET AL;
AND/OR JUDGE NORITO KAWAKAMI,
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415 South Beretania Street
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MAX GARCIA
Attorney for Respondent:
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STANLEY KANETAKE
Attorney for Respondent:
STEPHANIE KOKERNAK
228 Kuulei Road
Kailua, Hawaii, 96734

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

NO. _____

JANICE CHING YEE, PETITIONER PRO SE,

vs.

ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES,
STEPHANIE KOKERNAK,
EDWARD Y.C. CHUN and/or CHUN, KERR, & DODD,
ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES & BYBEE,
JUDGE B.M. VITOUSEK and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, AND/OR JUDGE NORITO KAWAKAMI,
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH, AND/OR GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT,
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH,
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION,
ROBERT FRANKLIN,
RESPONDENTS.

MOTION TO AMEND
JOINT PETITION FOR WRIT OF CERTIORARI

Petitioner Pro Se hereby Motions to Amend Petitioner's Joint Petition for Writ of Certiorari to "conform to the evidence" of an additional "Twelfth Supplemental Decision" for case HSC* #6102, whereof Petitioner Pro Se hereby Appeals to This Supreme Court of the United States, whereby This Court can review the unconstitutionality of this "Twelfth Supplemental Decision" as additional evidence for Petitioner for

*HSC—HAWAII'S SUPREME COURT
*USSC—UNITED STATES SUPREME COURT

case HSC #6102 according to USSC RULES, Rule 20, wherefor This Supreme Court of America can Direct a New Order and Order Summary Judgment or Judgment on the Pleadings for Petitioner Pro Se for case HSC #6102, whereby all Respondents' cases evolved out of This case.

Also, as our Petitions and/or Denials crossed in the mail, can This Supreme Court of the United States, upon review of the "Joint Petition", reconsider case USSC* #75-1143 as a Supplement, per *USSC RULES, Rule 24(5),* to this "Joint Petition", according to the *FEDERAL RULES OF CIVIL AND/OR APPELLATE PROCEDURE, Chapter 133:28(sec. 2106 or 2111).*

The Jurisdiction for This Supreme Court of the United States to Grant this Writ of Certiorari and/or Appeal, resides on the *FEDERAL RULES OF CIVIL AND/OR APPELLATE PROCEDURE, Rule 15(b)* for Amendments to Conform to the Evidence, *Rule 60(b)(1, 2, 3, 4, & 6)* for Relief of Judgment, *Chapter 133:28(sec. 2101(c)), Chapter 133:28(sec. 2101(e)), Chapter 133:28(sec. 2106);* and/or *Chapter 133:28(sec. 2111); UNITED STATES SUPREME COURT RULES, Rule 20* against Coercion of Non-assertion of Legal Rights in Hawaii's Courts, *Rule 19(1)(a & b), Rule 23(5)* as mentioned and quoted in the "Joint Petition", "IV. STATUTES INVOLVED", page 28 and 29, and/or *Rule 35(2); HAWAII'S SUPREME COURT RULES, Rule 1(a)(1), HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS, EC7-21 and/or EC7-22;* AND/OR *HAWAII'S REVISED STATUTES, Chapter 602-5, Chapter 605-2, Chapter 641-4, and/or 641-24, Chapter 657-20* against Concealment of Malice for Judicial "financial enslavement" and/or Judicial "involuntary servitude".

Mrs. Janice Ching Yee

MRS. JANICE CHING YEE
Petitioner Pro Se
3169 Alika Avenue
Honolulu, Hawaii

Dated, April 12, 1976

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

NO. _____

JANICE CHING YEE, PETITIONER PRO SE,

vs.

ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES,
STEPHANIE KOKERNAK,
EDWARD CHUN and/or CHUN, KERR, & DODD,
ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES, & BYBEE,
JUDGE B.M. VITOUSEK and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, AND/OR JUDGE NORITO KAWAKAMI,
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH, AND/OR GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT,
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH,
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION,
ROBERT FRANKLIN,
RESPONDENTS.

MEMORANDUMS OF LAW, ARGUMENTS AND APPENDICES IN SUPPORT OF MOTIONS

Petitioner Pro Se hereby Motions to Amend Petitioner's Joint Petition for Writ of Certiorari, according to *Rule 15(b)* of *the FEDERAL RULES OF CIVIL PROCEDURE,* to Conform to additional Evidence of "Twelfth Supplemental Decision" for case HSC #6102, whereof this "Twelfth Supplemental Decision" is Prejudiced Malicious Abuse of Judicial Process, in Violation of Petitioner Pro Se's AMERICAN CONSTITUTIONAL RIGHTS against Oppression by Judicial "financial enslavement" and/or Judicial "involuntary servitude".

As Petitioner Pro Se, Janice Ching Yee, I really think I am right about this Conspiracy, whereby Judge Betty Vitousek's last Supplemental Decision was more proof Judge Vitousek is a Prejudiced Perpetrator for the Conspiracy for Prejudiced Persecution for Coerced Ignominy by Malicious Defamatory Deprivation of Income and Legal Rights against Coerced Non-assertion of Legal Rights for Petitioner Pro Se for Summary Judgment or Judgment on the Pleadings, according to the *FEDERAL RULES OF CIVIL AND APPELLATE PROCEDURE, Rule 56(a)* or *Rule 12(c),* for Remedy or Restitution against all Respondents including Judge B. M. Vitousek, et al, whose Prejudiced Malice effected and perpetrated Judicial "Oppression" by Judicial "financial enslavement" or "involuntary servitude", which is against the *UNITED STATES CONSTITUTION AND ITS AMENDMENTS* for FREEDOM, hereby appended and included as part of the "Most Pertinent Statutes Involved Appended or Reappended". (#6.)

Might This Court please Grant This Writ of Certiorari and/or Direct a New Order for Remedy and/or Restitution for Petitioner Pro Se against Judge Betty Vitousek as the most vicious Respondent and/or against All Respondents, who were at fault for Malicious traumatic, mental or financial injury of Petitioner Pro Se.

Might This Motion for Amendment to Conform to the Evidence, be included as part and parcel of Petitioner Pro Se's previous "Joint Petition for Writ of Certiorari" against the lower Family Court's Denial (APPENDIX "FF-16") of Appeal by "Motion for Relief of Judgment" (APPENDIX "BB(10)" which was inadvertantly left out of the "Joint Petition") against Judicial "involuntary financial servitude" and its "Motion for Amendment", etc. (APPENDIX "B(10)"), whereof "Notice of Second Amendment of Appeal" and "Designation of Record of Second Amendment of Appeal" has been filed and hereby appended as APPENDIX "I(B)(b)".

In reiteration, for Temporary Relief, can This Supreme Court, as an "Emergency Measure", Order a check for $211,850.00 as pled in the March 22, 1976 "Motion for Relief of Judgment" (APP. "BB(10)") filed in (Family Court) Hawaii's lower Circuit Court, OR the March 23, 1976 "Amendment of Opening Brief", filed for HSC #6102 (APPENDIX "BB(10)(a)" which was inadvertantly left out of the "Joint Petition"), which has been denied by both Hawaii's Family Court (APPENDIX "FF-16") and/or Hawaii's Supreme Court

(APPENDIX "J").

The Most Pertinent of the (IV.) STATUTES INVOLVED for This Amendment are hereby appended and reappended for re-emphasis of Evidence against All Respondents. (MOST PERTINENT STATUTES INVOLVED APPENDED AND REAPPENDED).

Will this Court please further more accept Petitioner's friends' signatures as evidences of faith in the capability of Petitioner Pro Se Janice Ching Yee as a capable American woman.

May This Amendment to Conform to the Evidence also include Conformity of more Evidence against Edward Chun, et al, Respondents as Conspirators, whereby Edward Chun et al's Malice co-instigated and perpetrated the Conspiracy for Prejudiced Judicial Persecution by Malicious Abuse of Judicial Process for humiliation by Defamatory Libelous, and Slanderous Coerced Ignominy by Coerced Incompetency, as the ex-"guardian ad litem" or recent "trustee" or "trust agreement" as an "enslavement" instrument (APP. "F-15"), and Destitution by Judicial "involuntary financial enslavement" by Deprivation of Income and Legal Rights for Petitioner Pro Se, who hereby Appeals to This Supreme Court of the United States to Grant This Motion for Amendment to Conform to the Evidence also as a PETITION FOR REHEARING against Respondents Edward Chun, et al, who conducted a Malicious Defense as Delay for harassment by "enslavement" for mental and financial injury of Petitioner Pro Se.

May The Jurisdiction of This Supreme Court of the United States to GRANT THIS APPEAL by way of Amendment of more Evidence against Respondent Edward Chun, et al, reside on *Rule 60(b)(1, 2, 3, 4, & 6) of the FEDERAL RULES OF CIVIL AND/OR APPELLATE PROCEDURE* for Relief of Judgment, and/or ITS *Chapter 133:28(sec. 2106) Chapter 133: 28(sec. 2111)* as applicable; AND/OR *THE UNITED STATES SUPREME COURT RULES, Rule 19(1)(a & b)* against Judicial "involuntary financial enslavement" as Cruel and Unusual Punishment, which is Malicious Abuse of Judicial Process against the *UNITED STATES CONSTITUTION AND ITS AMENDMENTS.* (MOST PERTINENT STATUTES INVOLVED APPENDED OR REAPPENDED).

CONCLUSION

Petitioner Pro Se hereby prays This Supreme Court of the United States will GRANT PETITIONER PRO SE'S WRIT OF CERTIORARI along with This Amendment to Conform to the Evidence for Summary Judgment, as pled, OR Judgment

on the Pleadings, as pled for Petitioner Pro Se Janice Ching Yee against All Respondents, whose Malice Conspired and/or Colluded for the Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Coerced Ignominy by Defamation, Libel, and Slander and Coerced Destitution by Illegal Deprivation of Income and Legal Rights for Petitioner Pro Se against Coerced Non-assertion of American Constitutional Rights and/or Hawaii's Legal Rights for Petitioner Pro Se, who again thanks This Supreme Court of America for its time.

Mrs. Janice Ching Yee

MRS. JANICE CHING YEE
Petitioner Pro Se
3169 Alika Avenue
Honolulu, Hawaii, 96817

Dated April 12, 1976.

EDWARD Y.C. CHUN of
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ROBERT HOGAN, ET AL;
HAROLD NICKELSEN, ET AL; and
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RONALD AMEMIYA 694
NELSON CHANG 726
Attorney General & Deputy for Respondents:
GERRY NAGAHISA, ET AL; and/or
DR. BETTY ADAMS, ET AL;

RONALD AMEMIYA 694
CEDRIC CHOI 1375
Attorney General & Deputy for Respondent:
JUDGE B.M. VITOUSEK, ET AL;
AND/OR JUDGE NORITO KAWAKAMI,
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MAX GARCIA
Attorney for Respondent:
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Suite 990 Pacific Trade Center,
190 S. King Street,
Honolulu, Hawaii, 96813

STANLEY KANETAKE
Attorney for Respondent:
STEPHANIE KOKERNAK
228 Kuulei Road
Kailua, Hawaii, 96734

NO._____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1975

JANICE CHING YEE, PETITIONER PRO SE,

vs.

ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES, HSC*, NO. 6102,
STEPHANIE KOKERNAK, HSC*, NO. 5943,
EDWARD CHUN and/or CHUN, KERR, & DODD, HSC*, NO. 5903,
ROBERT HOGAN and/or HOGAN, ROTHER, GRIMES, & BYBEE, HSC*, NO. 5971,
JUDGE B.M. VITOUSEK, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, HSC*, NO. 6008,
DR. BETTY ADAMS and/or HAWAII'S DEPARTMENT OF HEALTH, AND/OR GERRY NAGAHISA and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT, HSC*, NO. 5924,
HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH, HSC*, NO. 5969,
JAMES KOSHIBA and/or the HAWAII BAR ASSOCIATION, HSC*, NO. 5970,
ROBERT FRANKLIN, HSC*, NO. 5949,
RESPONDENTS.

AFFIDAVIT OF PETITIONER PRO SE

I am Mrs. Janice Ching Yee of 3169 Alika Avenue, Honolulu, Hawaii, (96817), and being duly sworn and under oath swear and affirm that all of my "unprofessional" LEGAL PLEADINGS, including ALL PLEADINGS, are pled in good faith and/or with good intentions, for I hereby will uphold the CONSTITUTION OF THE UNITED STATES OF AMERICA.

Mrs. Janice Ching Yee

MRS. JANICE CHING YEE
Petitioner Pro Se

Subscribed and sworn this 13th day of April, 1976.
/s/ Anne Osenburg
Notary Public, First Judicial Circuit, State of Hawaii
My Commission Expires: Oct. 15, 1978

CERTIFICATE OF SERVICE

I hereby certify three (3) copies of this Joint Petition for Writ of Certiorari, will be served for this day of March 31, 1976, on:

EDWARD Y.C. CHUN of
CHUN, KERR, & DODD
Attorney for Respondents:
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WILLIAM L. FLEMING of
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ROBERT HOGAN, ET AL;
HAROLD NICKELSEN, ET AL; and
JAMES KOSHIBA &/or the HAWAII BAR ASSOC.
165 South King Street
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RONALD AMEMIYA 694
NELSON CHANG 726
Attorney General and Deputy for Respondents:
GERRY NAGAHISA, ET AL; and/or
DR. BETTY ADAMS,
ET AL;

RONALD AMEMIYA 694
CEDRIC CHOI 1375
Attorney General and Deputy
for Respondents
JUDGE B.M. VITOUSEK,
ET AL;
HAWAII STATE CAPITOL
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Attorney for Respondent:
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228 Kuulei Road
Kailua, Hawaii, 96734

Mrs. Janice Ching Yee

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii, 96817

APPENDICES

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1976 MAR 22 AM 9:54
H. SETO
CLERK

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 5953426

PLAINTIFF PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	) FC-D NO. 81258
vs.	) MOTION FOR RELIEF OF JUDGEMENT;
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	) MEMORANDUMS OF LAW AND ARGUMENTS IN SUPPORT OF MOTION;) AFFIDAVIT OF PLAINTIFF PRO SE) NOTICE OF MOTION) CERTIFICATE OF SERVICE

MOTION FOR RELIEF OF JUDGEMENT

Plaintiff (Appellant) Pro Se hereby Motions for Relief of Judgement, according to *Rule 60 (b-2, b-4, and/or b-6)* of *HAWAII'S RULES OF CIVIL PROCEDURE*, and being not more than 1 year after the judgement was entered on April 4, 1975, and filed as the Sixth Supplemental Decision for case FC-D #81258.

If necessary, Plaintiff (Appellant) Pro Se hereby can also call on *HAWAII'S REVISED STATUTES, Chapter 657-20* against the Concealment of the Defendants (Appellees') Malice for Conspiracy for Swindle by Judicial "financial enslavement" and/or Judicial "involuntary servitude" against Plaintiff against this Prejudiced Persecution which is a Violation of Legal Rights for Plaintiff for the *UNITED STATES' CONSTITUTION'S Thirteenth and/or Fourteenth and/or even the First Amendment* for Equal Protection by Law against "financial enslavement" and/or "involuntary servitude".

Plaintiff (Appellant) Pro Se hereby Motions also for Relief of Judgement, according to *Rule 26 of HAWAII'S FAMILY COURT RULES*, which applies for DISCOVERY of Malice, which Defendants as Conspirators* perpetrated by Judge B.M. Vitousek's Sixth Supplemental Decision of April 4, 1975, by which the Conspirators* perpetrated Prejudiced Persecution by Malicious Abuse of Judicial Process, as this Sixth Supplemental Decision for Judicial "financial enslavement" and/or Judicial "involuntary servitude" by defamation libel and slander (as the "trustee" order) for Deprivation of Income and Legal Rights for Plaintiff (Appellant) Pro Se.

The Jurisdiction of Hawaii's Family Court to GRANT THIS APPEAL AND/OR MOTION AND ORDER THIS MONEY FOR PLAINTIFF PRO SE FOR FAST MONETARY RELIEF, reside on *HAWAII'S REVISED STATUTES, Chapter 605-2 and/or Chapter 657-20;* AND/OR *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 60(b-2, b-4, and/or b-6);* AND/OR *HAWAII'S FAMILY COURT RULES, Rule 91(a) and/or Rule 26(a) & (b-1)* and/or *Rule 27 (b&c); AND/OR HAWAII'S SUPREME COURT RULES, Rule 16.1* and/or *Rule 16.2 and/or HAWAII'S SUPREME COURT RULES 'CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 and EC7-21;* AND/OR the *UNITED STATES' CONSTITUTION AND ALL OF ITS AMENDMENTS.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

Dated, March 22, 1976

*Alfred A. Yee, et al, HSC+, NO. 6102
Edward Y.C. Chun, et al, HSC, NO. 5903; USSC++, NO. 75-1143

+HSC—HAWAII SUPREME COURT
++USSC—UNITED STATES SUPREME COURT

Robert Hogan, et al, HSC, NO. 5971
Judge Betty M. Vitousek, et al, HSC, NO. 6008
Dr. Betty Adams, et al, &/or Gerry Nagahisa, et al, HSC, NO. 5924
Harold Nickelsen, et al, HSC, NO. 5969
James Koshiba &/or the Hawaii Bar Association, HSC, NO. 5970
Robert Franklin, HSC, NO. 5949
5970
Robert Franklin, HSC, NO. 5949
Stephanie Kokernak, HSC, NO. 5943

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se, vs. ALFRED ALPHONSE YEE and/or ASSOCIATES, Defendants.	)	FC-D. NO. 81258 MEMORANDUMS OF LAW AND ARGUMENTS IN SUPPORT OF MOTION

MEMORANDUMS OF LAW AND ARGUMENTS IN SUPPORT OF MOTION

Plaintiff (Appellant) Pro Se hereby Motions for Relief of Judgement, according to *HAWAII'S RULES OF CIVIL PROCEDURE,*

Rule 60(b):(1) It was impossible to move for a new trial in April, 1975 against Judge B.M. Vitousek's Conflict, which was Malice for Conspiracy, which made Judge B.M. Vitousek Malfeasant as a Conspirator* who committed Swindle or Reversed Usury by Judicial "financial enslavement", by Illegal Forced Lending without charging interest, Malicious Abuse of Judicial Process, as the April 4, 1975 Sixth Supplemental Decision for case FC-D No. 81258, for Prejudiced Persecution for Deprivation of Income and Legal Rights for Plaintiff (Appellant) Pro Se against Judge Betty M. Vitousek, who "refused to consider any Motions" by Plaintiff (Appellant) Pro Se.

(4) Judge B.M. Vitousek's Malfeasant Prejudice VOIDS her Supplemental Decisions for Judicial "involuntary servitude" or Judicial "financial enslavement", according to *page 966-970 of CRIMINAL LAW by Donnelly, Goldstein, & Schwartz; for "People vs. Winters"*, as discussed in the Opening Brief of this case in Hawaii's Supreme Court No. 6102, whereof Defendants (Appellees) Alfred Alphonse Yee, et al, does owe Plaintiff Janice Ching Yee the sum of $105,000.00 for repayment of a loan from the ex-couple's joint bank account, of which $3,150.00 was

*page 2 of "Motion".

paid from July, 1975 until March, 1976, which leaves a total of $101,850.00 for Plaintiff Pro Se. Can this Court also add the figure of $110,000.00 of Promissory Note "B" per the Eleventh Supplemental Decision dated February 2, 1976 and Appealed Feb. 23, 1976 "Nunc Pro Tunc," Feb. 3, (Feb. 2 was wrong, excuse inadvertence) 1976; Appealed again March 2, 1976, Opening Brief for this case No. 6102 in Hawaii's Supreme Court, whereby Plaintiff (Appellant) Pro Se Janice Ching Yee didn't agree to the conditions of these "Notes" and whereof Plaintiff (Appellant) Pro Se does not need Bishop Trust as a middleman imposing on poor defenseless women alone who can manage finances as women alone, and who cannot afford to lose the extra money as expenses to any type of non-active middleman, incurring costs for extra paper work, not necessary for Plaintiff (Appellant) Pro Se for this additional $110,000.00 to make $211,850.00 as a true debt which Alfred Alphonse Yee, et al, does owe Plaintiff Janice C. Yee and can't be voided. Therefore, can the Family Court Order a Money Order for Plaintiff-(Appellant) Pro Se, who, hereby Demands this sum for same Plaintiff for Fast Financial Relief, whereby Defendants Alfred Alphonse Yee et al, can borrow this total amount and pay the monthly note on "Note B" and/or pay the $350.00 of "Note A"s' monthly payment to the Loan Department of any bank for Plaintiff (Appellant) Pro Se, who once loaned this amount to Alfred A. Yee et al, who used it, made a loss or a profit, and whereby Plaintiff never got any interest for the use of Plaintiff (Appellant) Pro Se's money or any part of the profit. Then to make matters worse, Judge B.M. Vitousek's Prejudice, as according to *page 978 of BALLENTINE'S LAW DICTIONARY,* for *"Hodgins vs. State" or "Haslam vs. Morrison"* for "Prejudice of Judge," made Judge B.M. Vitousek order another loan to Alfred Alphonse Yee, et al, again as a Swindler or Fleecer as Conspirators*, not paying interest for the use of Plaintiff Pro Se's money, for Plaintiff Pro Se needs my money for my own use, and cannot afford to borrow money at 10% interest to lend Alfred Alphonse Yee et al, for the use of my money without charging interest. This is Illegal Violation of Plaintiff (Appellant) Pro Se's Legal Rights for FREEDOM to use same Plaintiff (Appellant)'s money as I see right for me,

Janice Ching Yee as Plaintiff (Appellant) Pro Se against Alfred Alphonse Yee et al, and/or Judge B.M. Vitousek's Illegal Malfeasant Conflict for Swindle and Judicial "financial enslavement" of a good capable American woman as same Plaintiff Pro Se Janice Ching Yee, who once never complained about anything.

(6) PLAINTIFF (APPELLANT) PRO SE DOES NEED THE MONEY FOR SAME PLAINTIFF'S USE AND CANNOT AFFORD TO PAY 10% INTEREST FOR A LOAN AFTER ALL IF PLAINTIFF (APPELLANT) PRO SE JANICE CHING YEE HAS MONEY I CAN USE, FOR SAME PLAINTIFF PRO SE NEVER WAS A SPENDTHRIFT.

In CONCLUSION, can Hawaii's Family Court GRANT THIS MOTION AND/OR APPEAL AND ORDER A MONEY ORDER FOR THE SUM OF $211,850.00 FOR PLAINTIFF (APPELLANT) PRO SE FOR FAST TEMPORARY RELIEF, as has been requested AND/OR GRANT AND ORDER SUMMARY JUDGEMENT AS JUDGEMENT ON THE PLEADINGS FOR COMPLETE SETTLEMENT AS EQUITABLE SETTLEMENT FOR $3 MILLION FOR PLAINTIFF (APPELLANT) PRO SE JANICE CHING YEE FOR CUSTODY OF THE CHILDREN TO SAME PLAINTIFF PRO SE, WHO CAN TEACH THE CHILDREN HONESTY, as has been pled and demanded and should be granted, according to *AMENDMENT SIX* of the *UNITED STATES CONSTITUTION,* for a fast trial as part of the REASON FOR PLAINTIFF (APPELLANT) PRO SE'S SUIT AGAINST ALFRED A. YEE, DEFENDANTS (APPELLEES)'S deliberate Delay for Malicious Injury of Plaintiff (Appellant) Pro Se against coerced destruction by coerced ignominy by coerced destitution by coerced incompetency.

Plaintiff (Appellant) Pro Se hereby thanks the Family Court of Hawaii for its time; and may it hereby be noted, *if* any member of Hawaii's Family Court didn't involve themselves as Conspirators* or Contributory Conspirators* in the case Civil No. 45123 or Hawaii's Supreme Court case No. 6008, whereby also *if* any of the Supreme Court's clerks didn't involve themselves as Contributory Conspirators*, they can exonerate themselves by signing affidavits and swearing under oath that they were not involved in the Conspiracy against Plaintiff Pro Se.

*page 2 of "Motion".

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant)
Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

Dated March 22, 1976.

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	)	FC-D No. 81258
	)	NOTICE OF MOTION
vs.	)	
	)	
ALFRED ALPHONSE YEE and/or ALFRED A. YEE & ASSOCIATES Defendants.	)	

NOTICE OF MOTION

TO: EDWARD Y.C. CHUN
CHUN, KERR, & DODD
Suite 1408, 700 Bishop St.
Honolulu, Hawaii 96813
for:
ALFRED ALPHONSE YEE, ET AL
Attorneys and DEFENDANTS

Please take NOTICE that the following Motion for Relief of Judgement will be set for Hearing in the Courtroom of the Honorable Judge Betty M. Vitousek at 2:00 p.m. on March 25, 1976, or as soon thereafter as counsel or complainant can be heard.

Dated at Honolulu, Hawaii, this 22nd day of March, 1976.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	FC-D NO. 81258 AFFIDAVIT OF PLAINTIFF (APPELLANT) PRO SE

AFFIDAVIT OF PLAINTIFF (APPELLANT) PRO SE

I am Mrs. Janice Ching Yee, Plaintiff (Appellant) Pro Se, of 3169 Alika Avenue of Honolulu, Hawaii (96817), and being duly sworn and under oath, swear, and affirm that all of my "unprofessional" Legal Pleadings are pled in good faith and/or with good intentions for a fast determination of this case, or all cases for Plaintiff (Appellant) Pro Se.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Subscribed and sworn
this 22nd day of March, 1976.
/s/ Anne Osenburg
Anne Osenburg
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires:
Oct. 15, 1978

CERTIFICATE OF SERVICE

I hereby certify a copy of this "MOTION FOR RELIEF OF JUDGEMENT" will be served on Attorneys Edward Y.C. Chun, et al, for Defendants (Appellees) Alfred Alphonse Yee, et al, at the office of Chun, Kerr, & Dodd, #1408, 700 Bishop Street, Honolulu, Hawaii 96813, for this 22nd day of March, 1976.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

APPENDIX "BB(10)"

NO. 6102
IN THE SUPREME COURT OF THE STATE OF HAWAII
OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	FC-D No. 81258 APPEAL AGAINST THE UNEQUITABLE TERMS OF THE FINAL ABSOLUTE DIVORCE DECREE FOR SETTLEMENT AND CHILD CUSTODY FIRST CIRCUIT COURT FAMILY COURT Honorable Betty M. Vitousek Judge

MOTION TO AMEND OPENING BRIEF
MEMORANDUMS, ARGUMENTS,
AND APPENDICES IN SUPPORT
AFFIDAVIT OF PLAINTIFF APPELLANT PRO SE

I hereby certify one copy of this
Motion will be served on:
EDWARD Y.C. CHUN, ET AL, Attorneys
for: ALFRED ALPHONSE YEE, ET AL,
Defendants-Appellees
at: 1408 Amfac Building
700 Bishop Street
Honolulu, Hawaii 96813

this day of March 23, 1976.
/s/ Mrs. Janice Ching Yee
MRS. JANICE CHING YEE
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817

FILED
1976 MAR 23 AM 10:25
Clement J.H. Chun
CLERK SUPREME COURT

APPENDIX "BB(10)(a)"

NO. 6102
IN THE SUPREME COURT OF THE STATE OF HAWAII
OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	FC-D No. 81258 APPEAL AGAINST THE UNEQUITABLE TERMS OF THE FINAL ABSOLUTE DIVORCE DECREE FOR SETTLEMENT AND CHILD CUSTODY FIRST CIRCUIT COURT FAMILY COURT Honorable Betty M. Vitousek Judge

MOTION TO AMEND OPENING BRIEF

Plaintiff-Appellant Pro Se hereby Motions to Amend Opening Brief, filed March 2, 1976, according to *Rule 15 of HAWAII'S RULES OF CIVIL PROCEDURE and/or FEDERAL RULES of CIVIL PROCEDURE* to include the filed "MOTION FOR RELIEF OF JUDGEMENT" of March 22, 1976 (APPENDIX "A") and its "AMENDMENT, etc." of March 22, 1976 (APPENDIX "B") for case FC-D No. 81258, in the lower Family Court, to conform to the evidence for Merits for Pleadings for Complete Financial Settlement for $3 million for Plaintiff-Appellant Pro Se Janice Ching Yee and for custody of the children to same Appellant Pro Se.

The Jurisdiction of Hawaii's Supreme Court to GRANT THIS APPEAL AND/OR MOTION AND ORDER JUDGEMENT ON THE PLEADINGS FOR PLAINTIFF APPELLANT PRO SE JANICE CHING YEE FOR MERITS FOR MONETARY CLAIMS, AS PLED, FOR COMPLAINTS AND PLEADINGS, reside on *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73 and/or Rule 15 HAWAII'S REVISED STATUTES, Chapter 605-2, Chapter 602-5, Chapter 641-4 and/or 641-24, and/or Chapter 657-20; HAWAII'S SUPREME COURT RULES, Rule 16.1 and 16.2, and/or HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RE-*

SPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 and/or EC7-21; AND/OR THE UNITED STATES CONSTITUTION AND ALL OF ITS AMENDMENTS.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

Dated March 23, 1976.

NO. 6102
IN THE SUPREME COURT OF THE STATE OF HAWAII
OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	)	FC-D No. 81258 MEMORANDUMS, ARGUMENTS, AND APPENDICES IN SUPPORT OF MOTION

MEMORANDUMS OF LAW, ARGUMENTS, AND APPENDICES IN SUPPORT OF MOTION

Plaintiff-Appellant Pro Se hereby Motions to Amend Appellant's Opening Brief, filed March 2, 1976, according to *Rule 15 of HAWAII'S RULES OF CIVIL PROCEDURE* and/or *FEDERAL RULES OF CIVIL PROCEDURE*, to include the filed "MOTION FOR RELIEF OF JUDGEMENT" (APPENDIX "A") and its "AMENDMENT" (APPENDIX "B") filed March 22, 1976 for case FC-D 81258, as further Memorandums of Law and Arguments to confirm and/or conform to the evidence for Merits for Monetary Claims for Complaints and Pleadings for Complete Financial Settlement for $3 million for Plaintiff-Appellant Pro Se Janice Ching Yee for Custody of the Children (for the Record) to same Appellant Pro Se.

Plaintiff-Appellant hereby thanks Hawaii's Supreme Court if it will GRANT THIS APPEAL AND ORDER JUDGEMENT ON THE PLEADINGS OR SUMMARY JUDGEMENT FOR SAME APPELLANT PRO SE FOR RESTITUTION AS WELL AS COMPLETE SETTLEMENT AS EQUITABLE SETTLEMENT, according to *Rule 12(c) and/or Rule 56(a) of HAWAII'S RULES OF CIVIL PROCEDURE, confirmed by HAWAII'S REVISED STATUTES, Chapter 641-4 and/or 641-24* for initiative and prerogative for Hawaii's Supreme Court Justices to GRANT THIS APPEAL FOR FAST DETERMINATION OR CONCLUSION for this case on Appeal as Hawaii's Supreme Court case HSC, NO. 6102, whereby

it was case HSC, NO. 5930, whereby it was case FC-D No. 81258, which should have had a Final Judgement or Decree already decided.

May *Chapter 657-20 of HAWAII'S REVISED STATUTES* also apply for Extension of Time against Defendants-Appellees, Alfred Alphonse Yee, et al's Concealment of Malice for Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Defamatory Coercion for Ignominy by Deprivation of Income and Legal Rights for Plaintiff-Appellant Pro Se Janice Ching Yee for *HAWAII'S SUPREME COURT RULES, Rule 16.1* and/or Rule 16.2, which should not restrain or deny a capable American woman as Plaintiff-Appellant Pro Se Janice Ching Yee who never committed adultery, crime or deliberate sin after all for Merits of Legal (unprofessional) Pleadings for Monetary Claims for Restitution and/or for faster Completion for Complete Settlement for $3 million for Final Absolute Divorce.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

Dated, March 23, 1976.

NO. 6102
IN THE SUPREME COURT OF THE STATE OF HAWAII
OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant Pro Se, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES Defendants-Appellees.	)	FC-D NO. 81258 APPEAL AGAINST THE UNEQUITABLE TERMS OF THE FINAL ABSOLUTE DIVORCE DECREE FOR SETTLEMENT AND CHILD CUSTODY FIRST CIRCUIT COURT FAMILY COURT Honorable Betty M. Vitousek Judge

AFFIDAVIT OF PLAINTIFF-APPELLANT PRO SE

I am Mrs. Janice Ching Yee, Plaintiff-Appellant Pro Se, of 3169 Alika Avenue of Honolulu, Hawaii (96817), and being duly sworn and under oath, swear, and affirm that all of my "unprofessional" Legal Pleadings are pled in good faith and/or with good intentions for a fast determination of this case, and/or all cases.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff-Appellant Pro Se

Subscribed and sworn
this 19th day of March, 1976.
/s/ Sidney Kan
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires:
May 31, 1976.

HEREBY WERE APPENDED "MOTION FOR RELIEF OF JUDGEMENT", filed March 22, 1976, (APP. "BB(10)") and "AMENDMENT OF MOTION FOR RELIEF OF JUDGEMENT", filed March 22, 1976, (APP. "B(10)") both used as Exhibits for this "MOTION TO AMEND OPENING BRIEF", etc., filed March 23, 1976. (APP. "BB(10)(a)")

APPENDIX "BB(10)(a)"

PETITION
IN SUPPORT OF PLAINTIFF'S COMPLAINT

I am against Judge Betty Vitousek's "guardian ad litem" and/or "trustee" decisions for Mrs. Janice Ching Yee.

This is to confirm that Mrs. Janice Ching Yee has always been competant and able to think of her own free will and has never been harmful to anybody.

She has always spoken with competance or in a normal manner.

**SIGNED:

1. D. E. Sutter
2. Martha Nieves
3. [illegible]
4. [illegible]
5. [illegible]
6. Maxine Lee
7. Jane Chinn Kau
8. [illegible]
9. Sau Lin C. Ching
10. [illegible]
11. Mrs B. Hopper
12. [illegible]
13. N Zane
14. [illegible]
15. A. C. Ting
16. Virginia W. Kodl
17. [illegible]
18. Faith Ishii
19. Hazel Yee
20. [illegible]
21. [illegible]
22. [illegible]
23. [illegible]
24. [illegible]
25. [illegible]
26. Betty Lou Ritch
27. [illegible] (E. Mayers)
28. Velma Neale Clark
29. Marjorie C. Mee

**For Aug. 4, 1975 "Additional Argument in Support of Complaint", etc., for Civil No. 45123 (Vitousek, et al)
(HSC #6008)

(APPENDIX "YEA")

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, Plaintiff, vs. BETTY VITOUSEK, Judge, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, Defendants.	)	CIVIL NO. 45123 AFFIDAVIT OF PLAINTIFF

AFFIDAVIT OF PLAINTIFF

I am Mrs. Janice Ching Yee, of 3169 Alika Avenue, Honolulu, Hawaii, (96817), being duly sworn and under oath, swear and affirm that the following petition and signatures were not obtained by duress.

All of the signatures are true and signed with good intentions.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee, Plaintiff

Subscribed and sworn to before me
this 4th day of August, 1975.

/s/ Sidney Kan
Notary Public, First Judicial
Circuit, State of Hawaii

My commission expires: May 31, 1976

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1976 APR 7 PM 4:31
S. IKEDA
CLERK

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE YEE, Plaintiff, vs. ALFRED A. YEE, Defendant.	)	FC-D No. 81258 TWELFTH SUPPLEMENTAL DECISION AND ORDER

TWELFTH SUPPLEMENTAL DECISION AND ORDER

On March 22, 1976 Plaintiff, pro se, filed a Motion for Relief of Judgement seeking relief from prior decisions of this Court and in particular the Sixth Supplemental Decision entered on April 4, 1975. She bases the timeliness of her Motion primarily on H.R.C.P. Rule 60 (b)(2), (b)(4), and/or (b)(6) and alleges as her basis for the Court's jurisdiction the following:

"The Jurisdiction of Hawaii's Family Court to GRANT THIS APPEAL AND/OR MOTION AND ORDER THIS MONEY FOR PLAINTIFF PRO SE FOR FAST MONETARY RELIEF, reside on *HAWAII'S REVISED STATUTES, Chapter 605-2 and/or Chapter 657-20;* AND/OR *HAWAII'S RULES OF CIVIL PROCEDURE, Rule 60 (b-2, b-4, and/or b-6);* AND/OR *HAWAII'S FAMILY*

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

/s/ S. Ikeda
S. Ikeda
Clerk, Circuit Court, First Circuit
State of Hawaii

APPENDIX "FF(16)"

COURT RULES, Rule 91(a) and/or Rule 26(a) & (b-1) and/or *Rule 27(b&c); AND/OR HAWAII'S SUPREME COURT RULES, Rule 16.1* and/or *Rule 16.2 and/or HAWAII'S SUPREME COURT RULES 'CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS' EC7-22 and EC7-21;* AND/OR the *UNITED STATES' CONSTITUTION AND ALL OF ITS AMENDMENTS."*

The Court has examined all the specific references therein and finds no authority for this action other than that contained in Hawaii Rules of Civil Procedure, Rule 60(b). The Court finds that, as stated by Plaintiff in her "Amendment of Motion for Relief of Judgment," also filed on March 22, 1976, this case "has been argued so many times from the initial action for divorce:...." (since it was initiated on September 16, 1971 through the Sixth Supplemental Decision entered on April 4, 1975 to the Eleventh Supplemental Decision and Order entered on February 2, 1976), that the Court is fully apprised of the facts and circumstances in respect to the parties, their children and their property. The court is also aware that the matter is on appeal to the Supreme Court of the State of Hawaii in S.C. No. 6102.

Upon further review of the Sixth and Eleventh Supplemental Decisions referred to and certain of the other Decisions herein and of other documents filed with the Court or submitted in evidence herein, the Court finds that the necessities and equities of the parties and their children have been considered and dealt with by this Judge to the best of her ability and understanding of all the facts, and in good faith and without malice or partiality, and that no further amendment of said prior decisions and orders as proposed by Plaintiff in her pleadings will be allowed or ordered. It is the further finding of the Court that no constructive purpose will be served by any further or future reconsideration by this Court of any matters herein which have already been considered and re-considered and decided.

It is the order of the Court that Plaintiff's Motion for Relief of Judgement filed on March 22, 1976 be denied.

DATED: Honolulu, Hawaii, April 7, 1976.

/s/ Betty M. Vitousek
Betty M. Vitousek
JUDGE OF THE ABOVE ENTITLED COURT

APPENDIX "FF(16)"

1ST CIRCUIT COURT
STATE OF HAWAII
FILED
1976 APR 9 PM 12:56
R.S. Yamada
CLERK

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

PLAINTIFF FOR PLAINTIFF PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	) FC-D No. 81258
vs.	) NOTICE OF SECOND AMENDMENT OF APPEAL;
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE, & ASSOCIATES, Defendants.	) DESIGNATION OF RECORD FOR SECOND AMENDMENT OF APPEAL; AFFIDAVIT OF PLAINTIFF (REAFFIRMATION) CERTIFICATE OF SERVICE

NOTICE OF SECOND AMENDMENT OF APPEAL

NOTICE IS HEREBY GIVEN for a Second Amendment of Appeal, according to *Rule 15(b)* to conform to its evidence whereby its time the complete case FC-D No. 81258, including all Supplemental Decisions and/or various Orders should be appealed to Hawaii's Supreme Court whereof the lower Family Court's Twelfth Supplemental Decision was filed April 7, 1976 at 4:31 p.m.

NOTICE IS HEREBY GIVEN for this Second Amendment of Appeal, according to *Rule 15(b) of HAWAII'S RULES OF*

APPENDIX "I(B)(b)"

CIVIL PROCEDURE, to include Appeal against all Supplemental Decisions or Orders which are Prejudiced Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff (Appellant) Pro Se.

The Jurisdiction for this Second Amendment of Appeal resides on *FAMILY COURT RULES, Rule 91(a); HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73, Rule 15(b),* and/or *Rule 60(b)(1,2,3,4, and/or 6); HAWAII'S REVISED STATUTES, Chapter 605-2, Chapter 602-5, Chapter 641-4 and/or 641-24, and/or Chapter 657-1* or *657-20* for extension of the Statutes of Limitations against Malice for Conspiracy for Coerced Ignominy by Deprivation of Income and Legal Rights against Defamation, Libel, and Slander; *HAWAII'S SUPREME COURT RULES, Rule 16.1 and/or 16.2,* AND/OR *HAWAII'S SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS, EC7-21 and/or EC7-22.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Dated April 9, 1976.

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, YEE,) Plaintiff Pro Se,) vs.) ALFRED ALPHONSE YEE,) and/or) ALFRED A. YEE & ASSOCIATES,) Defendants.)	FC-D No. 81258 DESIGNATION OF RECORD FOR THIS SECOND AMENDMENT OF APPEAL

DESIGNATION OF RECORD
FOR THIS SECOND AMENDMENT OF APPEAL

Plaintiff (Appellant) Pro Se hereby DESIGNATES AS THE RECORD ON APPEAL, the COMPLETE RECORD of all Transcripts and File of Proceedings in FC-D No. 81258, and ALL RECORDS for the previous Appeal for this case, recorded as case HSC #5930, to be included.

The Jurisdiction for this Second Amendment of Appeal resides on *FAMILY COURT RULES, Rule 91(a); HAWAII'S RULES OF CIVIL PROCEDURE, Rule 73, Rule 15(b), and/or Rule 60(b) (1,2,3,4, and/or 6); HAWAII'S REVISED STATUTES, Chapter 605-2, Chapter 602-5, Chapter 641-4 and/or 641-24, And/Or Chapter 657-1 or 657-20 for extension; HAWAII'S SUPREME COURT RULES, CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS, EC7-21 and/or EC7-22.*

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Dated April 9, 1976.

MRS. JANICE CHING YEE
3169 Alika Avenue
Honolulu, Hawaii 96817
Telephone: 595-3426

PLAINTIFF PRO SE FOR PLAINTIFF

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

JANICE CHING YEE, Plaintiff Pro Se,	)	FC-D No. 81258
vs.	)	AFFIDAVIT OF PLAINTIFF
ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants.	)	

AFFIDAVIT OF PLAINTIFF (APPELLANT) PRO SE

I am Mrs. Janice Ching Yee, Plaintiff (Appellant) Pro Se, of 3169 Alika Avenue of Honolulu, Hawaii (96817), and being duly sworn and under oath, swear, and affirm that all of my "unprofessional" Legal Pleadings are pled in good faith and/or with good intentions, for a fast determination of this case.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

Subscribed and sworn to before me
this 23rd day of February, 1976.
/s/ Anne Osenburg
Anne Osenburg
Notary Public, First Judicial
Circuit, State of Hawaii
My commission expires:
October 15, 1978.

CERTIFICATE OF SERVICE

I hereby certify a copy of this Notice of Second Amendment of Appeal; Designation of Record for Second Amendment of Appeal, and Affidavit (Reaffirmed), was served on:
Attorney Edward Chun, et al, for:
Defendants (Appellees) Alfred Alphonse Yee et al,

at: CHUN, KERR, & DODD
14th Floor, Amfac Building
700 Bishop Street
Honolulu, Hawaii 96813

this 9th day of April, 1976, for case FC-D No. 81258.

/s/ Mrs. Janice Ching Yee
Mrs. Janice Ching Yee
Plaintiff (Appellant) Pro Se

APPENDIX "I(B)(b)"

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	MOTION TO AMEND OPENING BRIEF

ORDER

FILED

1976 MAR 31 PM 3:26

/s/ Clement J.H. Chun

CLERK SUPREME COURT

APPENDIX "J" of "Joint Petition"
(Reappended)

NO. 6102

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1975

JANICE CHING YEE, Plaintiff-Appellant, vs. ALFRED ALPHONSE YEE, and/or ALFRED A. YEE & ASSOCIATES, Defendants-Appellees.	MOTION TO AMEND OPENING BRIEF

ORDER

Appellant's Motion to Amend Opening Brief, filed on March 23, 1976, is hereby denied without argument.

DATED: Honolulu, Hawaii, March 31, 1976.

BY THE COURT:

/s/ William S. Richardson
Chief Justice

SEAL

APPENDIX "J" of "Joint Petition"
(Reappended)

MOST PERTINENT STATUTES INVOLVED APPENDED OR REAPPENDED

1. *THE UNITED STATES SUPREME COURT RULES:*

1) *Rule 20,* whereof "a writ of certiorari to review a case pending in a court of appeals, before judgment is given in such court, will be granted only upon a showing that the case is of such imperative public importance as to justify the deviation from normal appellate processes and to require immediate settlement in this court."

2) *Rule 19(1) (a & b),* whereof "1. A review on writ of certiorari is not a matter of right, but of sound judicial discretion, and will be granted only where there are special and important reasons therefor. The following, while neither controlling nor fully measuring the court's discretion, indicate the character of reasons which will be considered:

(a) Where a state court has decided a federal question of substance not theretofore determined by this court, or has decided it in a way probably not in accord with applicable decisions of this court.

(b) Where a court of appeals has rendered a decision in conflict with the decisions of another court of appeals on the same matter; or has decided an important state" "question in a way in conflict with applicable state" "law; or has decided an important question of federal law which has not been, but should be, settled by this court; or has decided a federal question in a way in conflict with applicable decisions of this court; or has so far departed from the accepted and usual course of judicial proceedings, or so far sanctioned such a departure by a lower court, as to call for an exercise of this court's power of supervision."

3) *Rule 22 (1) & (3)* whereby *Federal Rules of Civil and Appellate Procedure,* chapter 133:28:2101(c) is applicable or *Rule 22(1)*: "A petition for writ of certiorari to review the judgment of a state court of last resort in a criminal case shall be deemed in time when it is filed with the clerk within ninety days after the entry of such judgment.

4) *Rule 23* in its entirety, whereof specifically:

"5. Where several cases are sought to be reviewed on certiorari to the same court that involve identical or closely related questions, it shall suffice to file a single petition for writ of certiorari covering all the cases."

2. *HAWAII'S SUPREME COURT RULES:*

1) *Rule 1 (a) (1):*

"(a) Applicability of Other Court Rules; Definitions.

(1) The Hawaii Rules of Civil Procedure, the Hawaii Rules of Criminal Procedure, the District Court Rules of Civil Procedure and the District Court Rules of Penal Procedure are hereby adopted as a part of these rules whenever applicable."

2) *Rule 2(d): "Consolidation.* When cases involving a common question of law or fact are pending before the court, it may order a joint argument and make other orders concerning proceedings to avoid any unnecessary costs or delay."

3) *Rule 6(b):*

"6. MOTIONS. (not reappended)

4) *Rule 16. #16.1 and #16.2:* (not reappended)

"RULE 16. DISCIPLINARY RULES.

A. *"THE CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS:*

1) EC2-27: "Regardless of his personal feelings, a lawyer should not decline representations because a client or a cause is unpopular or community reaction is adverse."

2) "EC2-28: The personal preference of a lawyer to avoid adversary alignment against judges, other lawyers, public officials, or influential members of the community does not justify his rejection of tendered employment."

3) "EC2-30: Employment should not be accepted by a lawyer when he is unable to render competent service or when he knows or it is obvious that the person seeking to employ him desires to institute or maintain an action merely for the purpose of harassing or maliciously injuring another."

4) "EC7-21: The civil adjudicative process is primarily designed for the settlement of disputes between parties, while the criminal process is designed for the protection of society as a whole. Threatening to use, or using, the

criminal process to coerce adjustment of private civil claims or controversies is a subversion of that process; further, the person against whom the criminal process is so misused may be deterred from asserting his legal rights and thus the usefulness of the civil process in settling private disputes is impaired. As in all cases of abuse of judicial process, the improper use of criminal process tends to diminish public confidence in our legal system."

5) "EC7-22: Respect for judicial rulings is essential to the proper administration of justice; however, a litigant or his lawyer may, in good faith and within the framework of the law, take steps to test the correctness of a ruling of a tribunal."

3. HAWAII'S REVISED STATUTES

1) Chapter 551:

a) 26
b) 27
c) 30
d) 31
e) 34, as included in the "Joint Petition" and discussed.

Chapter

2) *"602-5* *Jurisdiction and powers.* The Supreme Court shall have appellate jurisdiction to hear and determine all questions of law, or of mixed law and fact, which are properly brought before it on exceptions, error, or appeal duly perfected from any other court, judge, magistrate, or tribunal, according to law or by reservation of any circuit court or judge; and original jurisdiction in all questions arising under writs of error, certiorari, mandamus, prohibition, and injunction directed to circuit courts, or to circuit judges, or to magistrates, or other judicial tribunals and returnable before the supreme court."

Chapter

3) *"605-2* *Attorneys; license required."* A person may also appear "in person before any court, or justice, and there prosecuting" "his own cause, without the aid of legal counsel."

Chapter

4) *"622-19* *Transcripts of judicial records.* A transcript of any of the records and judicial proceedings of any court of record or of any judge of a court of record at chambers, shall be admitted in evidence upon being authenticated by the attestation of the clerk of the court with the seal of the court annexed, or of the judge before whom the proceedings were had, with the seal aforesaid."

Chapter

5) *"641-4* *Procedure on appeal, supreme court; new evidence.* In case of appeal to the supreme court from a decision, judgement, order, or decree of a circuit judge in chambers, the supreme court shall have the power to review, reverse, affirm, amend, modify, or remand for new hearing, in chambers, such decision, judgment, order, or decree in whole or in part, and as to any or all of the parties. Every such appeal shall be taken on the record and no new evidence shall be introduced in the appellate court; provided that the appellate court may, in case evidence is offered which is clearly newly discovered evidence and material to the just decision of the appeal, admit the same."

Chapter

6) *"641-24* *Judgment;"* "The supreme court may affirm, reverse, or modify the order, judgment, or sentence of the trial court. It may enter such order, judgment, or sentence, or may remand the case to the trial court for the entry of the same or for such other or further proceedings, as in its opinion the facts and law warrant. It may correct any error appearing on the record."+ "order, judgment, or sentence shall be reversed or modified if the court is of the opinion that error was committed which injuriously affected the substantial rights of the Plaintiff."+

+AMEN.

Chapter

7) *"657-20* *Extension by fraudulent concealment.* If any person who is liable to any of the actions mentioned in this part, fraudulently conceals the cause of such action from the knowledge of the person entitled thereto, the action may be commenced at any time within six years after the person who is entitled to bring the same discovers that he has such cause of action, and not afterwards."

Chapter

8) *634-26* Joinder of Causes of Action, as included in the "Joint Petition" and discussed.

Chapter

9) *711:*
a) 21
b) 22
c) 23, as included in the "Joint Petition and discussed.

Chapter

10) *728-1* *"Conspiracy defined.* If two or more persons conspire:
1) To commit any offense;
2) To instigate or incite another or others commit any offense;
3) To bring or maintain any suit proceeding knowing the same to be groundless; or
4) To cause another or others to be arrested, charged, or indicted for an offense, knowing them to be innocent thereof: each shall be guilty of conspiracy. (PC 1869, c 28, +1; am L 1892, c 102, +1; RL 1925, +4331; RL 1935, +5720; RL 1945, +11120; am L SP 1949, c 10, +1; RL 1955, +268-1)

Chapter

11) *728-2:* "Joining in after formation. Any person knowingly acceding to and joining in a conspiracy after the" same "is formed, is a party thereto, no less than the one who originally takes part in forming the same."

Chapter

12) *728-3 and 728-4:* *"Act in pursuance of, unnecessary.* It is not requisite that the act agreed upon should be done or attempted in pursuance of the conspiracy; the conspiracy itself constitutes the offense."
"Act of any is that of all. The act of each party to a conspiracy, in pursuance thereof; is the act of all."

4. *HAWAII'S RULES OF CIVIL PROCEDURE OR THE FEDERAL RULES OF CIVIL PROCEDURE:*

1) *"Rule 12(c): Motion for Judgment on the Pleadings.* After the pleadings are closed but within such time as not to delay the trial, any party may move for judgment on the pleadings. If, on a motion for judgment on the pleadings, matters outside the pleadings are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 56, and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56."

2) *"Rule 56. SUMMARY JUDGEMENT*
(a) *For Claimant.* A party seeking to recover upon a claim, may, at any time of the expiration of 20 days from the commencement of the action or after service of a motion for summary judgment by the adverse party, move with or without supporting affidavits for a summary judgment in his favor upon all or any part thereof."

3) *"Rule 59. NEW TRIALS; AMENDMENT OF JUDGMENTS.*
(d) *On Initiative of Court.* Not later than 10 days after entry of judgment the court of its own initiative may order a new trial for any reason for which it might have granted a new trial on motion of a party."

4) *"Rule 73. APPEAL TO SUPREME COURT."*
("Statutes Appended for Joint Petition")

5. *FEDERAL RULES OF CIVIL OR APPELLATE PROCEDURE:*

1) *Chapter 133:28 (sec. 2101(c))* "Any other appeal or writ of certiorari intended to bring any judgment or decree in a civil action, suit or proceeding before the

Supreme Court for review shall be taken or applied for within ninety days after the entry of such judgment or decree."

2) *Chapter 133:28 (sec. 2101(e)* "An application to the Supreme Court for a writ of certiorari to review a case before judgment has been rendered in the court of appeals may be made at any time before judgment."

3) *Chapter 133:28(sec. 2106): Determination.* "The Supreme Court or any other court of appellate jurisdiction may" "reverse any judgment, decree, or order of a court lawfully brought before it for review, and may" "direct the entry of such appropriate judgment, decree, or order," "as may be just under the circumstances."

4) *Chapter 133:28(sec. 2111) Harmless Error.* "On the hearing of any appeal or writ of certiorari in any case, the court shall give judgment after an examination of the record without regard to errors or defects which do not affect the substantial rights of the parties. Added May 24, 1949, c. 139, +110, 63 Stat. 105."

4. UNITED STATES CONSTITUTION++

A. AMENDMENTS:

1) *FIRST AMENDMENT:*
"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

2) *FOURTH AMENDMENT:*
"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

3) *SIXTH AMENDMENT:*
"In all criminal prosecutions, the accused (what about aggrieved?) shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation (against Plaintiff against "false arrest" restraintive "guardian ad litem"); to be confronted with the witnesses against him; to have compulsory process for obtaining witness in his favor, and to have the assistance of counsel for his defense (what about prosecution as aggrieved party?)

4) *EIGHTH AMENDMENT:*
"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

5) *THIRTEENTH AMENDMENT:*
"Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.
Section 2. Congress shall have power to enforce this article by legislation."

6) *FOURTEENTH AMENDMENT:*
"*Section 1.* All persons born (or naturalized) in the United States, and subject to the Jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; *nor shall*

++*WORLD BOOK ENCYCLOPEDIA(vol.#19) 1971, page 141 to 145.*
++*ENCYCLOPEDIA BRITANNICA(vol.#3) 1967, page 618 to 619.*
++*ENCYCLOPEDIA BRITANNICA(vol.#6) 1967, page 401 to 407.*

any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

"Section 2, 3, 4, also, not specified and appended.

Section 5. "The Congress shall have power to enforce by appropriate legislation, the provisions of this article."

7) *NINETEENTH AMENDMENT:*

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

7. (TREATISE) LAW OF TORTS by William Prosser, (3rd Edition), 1964, page 869:

"There may be recovery of other damages, designated as "special", if there is specific pleading and proof. The Plaintiff may recover compensation for any arrest or imprisonment, *88* including damages for discomfort or injury to his health, *89* or loss of time *90* and deprivation of the society of his family. *91* He may recover any reasonable expenses to which he has been put in defending the prosecution and establishing his innocence *92* including attorney's fees in the criminal proceeding, *93* although such fees in the action for Malicious Prosecution itself are normally not recoverable. *94* In addition, he may recover for any specific financial loss such as the loss of present *95* or prospective *96* employment, which can be proved with reasonable certainty to have been caused *97* by the prosecution, provided that it is regarded as a foreseeable, or normal, consequence of the criminal proceeding." *98*

"Because of the intentional and outrageous nature of the tort"—or "false arrest" "guardian ad litem" or "trustee" order(s)—

"malicious" ILLEGAL FALSE "prosecution is peculiarly adapted to the award of punitive damages, and it is agreed generally that the jury may award them when they find personal ill will or oppressive conduct in the "ILLEGAL FALSE "prosecution". *1*

[88] Rich vs. Rogers, 1925, 250 Mass. 587, 146 N.E. 246, 37 A.L.R. 656 Wilson vs. Bowers 1887, 64 Mich. 133,31 N.W.

[89] Stoecker v. Nathamson, 1904, 5 Neb. U of. 435 98 N.W. 1061

[90] Hefer v. Hamburg Quarry Co. 1921, 208 Mo. App. 55, 233 S.W. 275

[91] Walling v. Fields 1923, 209 Ala 389, 96 So. 471

[92] Seidler v. Burns 1912 86 Conn. 249, 85 A. 369

[93] Benderach v. Grujicich 1925, 30, N.M. 331, 233

[94] Benderach v. Grujicich

[95] H.S. Leyman Co. v. Short, 1926, 214 Ky. 272, 283 S.W. 96.

[96] Stoecker v. Nathanson

[97] Cf. Baer v. Chambers 1912, 67 Wash 357, 121 P. 843

[98] Cf. Hanson v. Rhodes-Burford Furn. Co. 1923, 227 Ill. App. 471

[1] Western Union Tel. Co. v. Thomason, 4 Cir. 1918, 215 F. 833